THE
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Review

Vol. XLVII December, 1953 No. 4

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THE AMERICAN POLITICAL SCIENCE REVIEW

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The American Political Science Review

VOL. XLVII DECEMBER, 1953 NO. 4

ON THE STUDY OF GOVERNMENT*

PENDLETON HERRING

As the American Political Science Association nears the half century mark of its existence it seems appropriate to consider the broad significance of a professional group devoted to the study of government. Political science as a subject of systematic inquiry started with Aristotle but as a profession it has won its greatest recognition in the United States and within our generation. One fact is clear: no other country in the world today has so large, so well-trained, so competent a profession dedicated to the teaching and analysis of government.

Whatever the current climate of opinion may be, these are the men and women who, from day to day in classroom and study, must explain in lectures and in writing the nature of political systems, foreign and domestic. This profession, which has flourished so greatly in the last fifty years, is now a part of our national strength: it is the core of that broad and continuing study of government and thoughtful concern with politics vital to the successful operation of free institutions. I want to tell you why I think the study of governmental matters and a wider understanding of political problems has a fresh urgency for us as a nation and the bearing this in turn has on the development of political science as a discipline.

I

To study is to apply intellect. To apply intellect is to give thought free rein. This is obviously dangerous—it particularly endangers clichés, stereotypes, and folk wisdom—such as where there is smoke there must be fire—an obvious non sequitur to anyone who has tried to burn damp autumn leaves or to read dull freshman themes!

Folk wisdom is not enough nor can experience alone be relied upon for political guidance. Native wit and leisurely whittling will not reduce today's political problems to handy manageable size.

The intimate politics of the cracker barrel have been replaced by the grim politics of the atomic pile. Common sense, energy, and good will are still needed but new complexities call for new skills and fresh knowledge.

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* Presidential address delivered before the American Political Science Association at its forty-ninth annual meeting in Washington, D. C., September 10, 1953.

Today, basic questions of national destiny and of world stability are bound up with phenomena quite beyond the day-to-day experience of most citizens. A rational response and a responsible attitude in such a situation can best come as the consequence of thought applied to knowledge. As government extends to matters far beyond the familiarity gained through participation, or direct observation, the conscious effort at understanding—that is to say, the study—of government becomes vitally important.

Such an attitude implies that a suspended judgment is called for on a great many issues. It demands an adult, mature approach to matters that are commonly treated with emotional indulgence of partisan feelings. It belies those who seek national security in secrecy even on those matters better known to our enemies than to the public and it calls for giving citizens whatever information is basic for making sound governmental decisions.

This attitude toward the realm of the political is easier to describe than achieve. It is not enough that self-government reflect the wishes of the governed, however shortsighted or selfish be these demands. We cannot rest content with government that is merely representative, as if representation in itself were the ultimate goal. Self-government must be effective government if it is to be adequate to its present-day responsibilities. Self-government is not simply a process of the wish fulfillment of articulate publics. It is the adjustment of many wills, *not only* to each other and among competing groups but also to such hard facts as the productive capacity of the country, our stage of technological advance, the limits of economic strength, the demands of national security, and the policies of our allies. Intelligent and responsible public reactions are called for both to face the threats of aggressive enemies and to hold the friendship of other nations.

Will our political skills and knowledge keep pace with the demands for orderly adjustment of human relationships that are imposed by advancing technology and the demands for responsible leadership imposed by our world position?

Such questions go far far beyond partisan competition where the objective is to throw the rascals out. Moreover, technological advance and increased productivity as victories of mind and management can be brought to nought by governmental failure. We must understand our politics and succeed governmentally because the final pay-off today and for the future is in terms of effective political behavior.

The place obviously to start is with a more realistic understanding of our own political system, our political goals, assumptions, and routines. Should we acquire the habit of now and again analyzing our national objectives—could we picture for ourselves such strivings as a political process—we might gain that sense of detachment which is the beginning of statecraft.

There are those few who talk as though the intricacies of politics and self-government did not demand special study. They seem to regard government as a sub-division of industry placed somewhere between public relations and cost accounting; or that corner of an otherwise cleanly laboratory where the drains are clogged and the blowers rattle.

Turning from those who already know the answers, we encounter others who don't even know the relevant questions to ask. Many such are among the traditional voters following to the polls the partisan tracks of their grandfathers: and often serving to sustain congressional committee chairmen capable of keeping legislation in rigid deep-freeze for prolonged periods.

And then there are those who care neither for questions nor answers (save perhaps on give-away programs). Little is known precisely of these citizens—our sounding devices report their existence as vast layers of protein, submerged in varying depths of inertia. They are said to be the habitual prey of bigger fish.

In any event, I think that most of us see with clarity today that our political problems are not to be disposed of by miracles of leadership. We are all in the same boat and buffeted by the same world storms. To suggest, as some do, that our governmental craft should be exchanged for an improved model more responsive to the helm is beside the point. Our hope must lie in better seamanship. Furthermore, riding today's rough waters offers little occasion for that type of complacency called partisan recrimination: while one party mans the oars the other must bail—too breathless to murmur "I told you so."

We turn with renewed faith to such fundamentals of self-government as:

Respect for fact and knowledge as the basis of opinion;

Tolerance in order to give scope to the interplay of viewpoints;

A rational sense of conviction that leads the way to decision;

Loyalty to those processes of government that guard our basic values;

And as guides for action—liberty, justice, truth, and that attitude of mind suggested by the words compassion, charity, and humility.

These fundamentals of self-government are based on a high faith in our fellow man—on mutual trust. We are ready to accept the fallibility of human reactions because, as Americans, we believe that there is no other form of rule more satisfactory than self-government. The implications of our political faith are, as Judge Learned Hand has so wisely said, "among the most unwelcome that men are called upon to accept. They are that truth is attainable only by trial and error, and a readiness ever to re-examine and reappraise. That does violence to our deepest animal bent, which demands some immediate and positive response to any emergency. Doubt and scrutiny, the most serviceable of man's tools, were the last that he acquired. He has never quite reconciled himself to their use; they are always repellent and painful."

II

In view of the emphasis in this introductory statement upon the heightened importance for all of the study and understanding of government—of the application of mind to politics—I would like next to consider more closely the teaching of political science, the place of research, and the development of governmental studies from the standpoint of both the nation and our profession.

The study of government must proceed from the values that make the Republic secure and free. Teaching enlightened by these values has never been more meaningful. Because the constant study of government is integral to the successful operation of our institutions, the teaching of political science is a high calling and one that remains squarely within the tradition of liberal education. Entry upon the field opens the way to a rich literature or, to put it another way, fosters acquaintance out of the past with men of wisdom, of learning, of courage, and also at times of style and wit. Few fields of knowledge, indeed, can draw upon such a range of talent reflecting both high aspiration and worldly shrewdness.

To this historic store of literary, philosophic, and juridical thought, join the more recent systematic and descriptive studies of government and politics and add, further, the chance to gain some understanding of current problems, and the ever-increasing attractiveness of political science as a field of study is readily seen.

Every teacher of this subject cannot but convey to his students a sense of his own convictions. The highest form of teaching is that in which the teacher performs as a scholar and shares with his juniors in learning his own excitement and sense of integrity in the pursuit of knowledge. I see no need on the teacher's part to proselitize for citizenship or indoctrinate democracy. I think rather, of Chaucer's scholar, of whom it was enough to say—

And gladly wolde he lerne and gladly teche.

The vitality and substance of what is taught and what is to be learned rests in the constant refreshment of the subject matter. Here, research is of the essence, not only to keep vivid and meaningful the materials of teaching but also to keep the teacher alert and confident. The teacher may become a sage to his students and an unchallenged authority in his classroom; as a research scholar, he finds himself competing with fellow-specialists. Such discipline is the best safeguard against smugness. The teacher who limits his activities to the classroom risks becoming a pundit in a puddle. In his research pursuits, he must test his strength in swifter waters and with mature competitors. If there were no other reasons, research could be well justified as a device for keeping a teacher on his mettle and subjecting him to the judgment of his fellow specialists.

By and large, as this group knows so well, time for research must be found in the intervals of heavy teaching loads. Of necessity, research often is an avocation rather than a central preoccupation. From the standpoint of research careers, the time for men devoting their attention to the analysis of governmental problems contrasts very unfavorably indeed with the man-hours available for market research in business and advertising firms or investment research in brokerage houses, or for the study of production and improved technology in industry. There must be a wider public recognition that research into governmental affairs is too important to remain a marginal activity.

Big democracy needs to know itself. Big business, big labor, and big agriculture all find large-scale, systematic data-collection and analysis too useful to do without. The conduct of large-scale operations calls for large-scale fact-gathering and fact-analysis.

In terms of hard, statistical data, we know much more about hog production than voting behavior; or soil conservation than money in elections. Much more effort is given to compiling indices to determine the cost of living than to following trends of opinion on world affairs. When we stop to consider the range and variety of political data that could be gathered by using much the same method of collection applied to industrial, agricultural, and similar affairs, we realize that the potentialities for studying political phenomena have scarcely been scratched. It may seem paradoxical that governmental statistics have been an orphan child in the Census Bureau and highly questionable from the standpoint of Congress but such indices lack, of course, the firm and direct parental support accorded, for example, the census of manufactures. (And parents have their problems, too!)

Once we go beyond the records made available, so to speak, as a by-product of the governmental process, the raw materials suitable for basic research are more difficult to come by. An excellent illustration of the kind of reporting best done upon the initiative of political scientists themselves is the study of delegations to our national party conventions. This effort, which was carried on under the auspices of this Association and which has won the collaboration of so many members throughout the United States, demonstrates what political scientists can do for themselves. We have in this Association a device, ready and at hand, that could become a highly significant method of reporting and communication. Another illustration is the Inter-University Case Program. Here is a cooperative method for gathering fresh teaching materials and data suggestive of new leads and new insights.

While political scientists have devised ways and means of adding to the basic information that is needed for research into governmental processes, the task is so large that support from official agencies and from private foundations is essential. Recent experience indicates that this support will often be granted when specific plans are drawn up and concrete projects offered for consideration. The problems of present-day government call for more systematic, better-supported, and larger-scale fact-gathering if political scientists are to do their jobs effectively and if citizens are to understand the nature of their political institutions.

From where we stand at the present moment, granting the importance of more and better data and accepting the diversity of the field, what are the directions for development? In terms of both research strategy and for practical usefulness, I think a strong case can be made for greater attention to a comparative approach across the wide range of political science—comparative public law, comparative political philosophy, comparative political institutions and governmental systems, comparative political behavior whether of individuals or societies.

We have found, in trying to explain our political institutions to peoples in other countries, that there is not nearly enough in the literature of American government and democracy that is suitable for export. Can it be that, in the past, we have been so much concerned with piecemeal reports or fragmented studies of our own system that we have missed analyzing as fully as we should the larger picture—the factors that have made this country so relatively strong, productive, and free? We have urged free elections upon other nations without, apparently, a full awareness on our side or theirs of all the component social, economic, and political factors that enter into responsible government. We are beginning to realize the integral nature of industrial structure, tax policy, class mobility, educational opportunity, and technological change. Motivations toward work, toward investment and consumption, toward savings and private philanthropy, are all part of the matrix of a workable, competitive, political system.

In our relations with the rest of the world, we are fully mindful of the proximity created by modern means of transportation. Such means are well suited to the exchange of persons, and the mass media of communication are ideally suited to propaganda. We tend to overlook or minimize the fact that readier physical access merely aggravates the cultural differences that separate us. Perhaps, also, in comparative studies, the time dimension could be given more attention than it has heretofore. Here again, people essentially unchanged in culture since the Middle Ages are now expected to do business with nations formed in the forces of the Industrial Revolution.

Careful studies that dealt comparatively with the cultures and ideologies, the historical development, and the whole complex of forces that seek final expression politically would lead not only to a better understanding of the countries of the world with which we must deal but should likewise enable us to understand ourselves better. Moreover, our own federal system provides unusual scope for the study of comparative politics, election behavior, lawmaking, and the administrative and judicial process. Problems of urbanism, comparatively approached, are more stimulating and suggestive. Here is a direction for growth which could put to use existing skills and available resources without waiting upon revolutionary advances in systematic methodology. The practical necessity of a common frame of reference becomes immediately obvious if comparisons are to be made at all. There must be some conception of a unit of comparison, and hence some thought to the process that the units create. This, in itself, prompts the search for uniformities. When situations are analyzed comparatively, field work becomes necessary, the imagination is enlarged by contact with new situations, and facile solutions are more readily seen as superficial.

To urge comparative study and field work, or to call for more fact-gathering, more case-collecting, more systematic recording, more statistical compilation, or to argue for more opportunities and careers for research scholars, without at the same time recognizing the need for better techniques of analysis would mark no genuine advance. Improved methods of research must be a continuing concern.

Research, as unbridled empiricism, offers little beyond the practical utility that specific findings may have for an immediate purpose. The story of the Tower of Babel takes on new meaning if we think of those ancient builders as rank empiricists—diligent, aspiring, but doomed to failure by the conception of their task and the ensuing confusion of their tongues. There must be theoretical work that guides the analyst to seeking hypotheses for verification or for discard. And, between the data-gathering and the concept-building, there must be rigorous attention to methodology. In a word, I think we will all welcome the increased awareness there seems to be today among political scientists of the importance of theory if research is to be significant and its findings are to be cumulative. In this context I do not conceive of theory as philosophy: as the ordering of values in order to provide a rational justification of political power, but rather theory as a conceptual scheme for the analysis and ordering of empirical data on political behavior. "By a theorist," as Whitehead writes, "I do not mean a man who is up in the clouds, but a man whose motive for thought is the desire to formulate correctly the rules according to which events occur."

I realize that theory of a systematic and analytical character does not arise as a consequence of exhortation. There is ground, however, for real hope in finding within this Association today, especially among younger political scientists, an alertness to theory, not as an overarching system, but rather for disclosing focal points where empirical findings suggest uniformities and offer a basis for generalization. Encouraging, also, is their impatience to push forward with jobs of concrete research, their readiness to talk shop, and to compare notes concerning better methods of inquiry. There is, I think, less solemn disputation about science with a big "S" and less drawing of discouraging comparisons between political science and the stereotypes held by laymen as to what the natural sciences are supposed to be. There is, rather, an attitude of mind that James Conant has so well described as "scientific." "Science," he writes, "is a dynamic undertaking directed to lowering the degree of the empiricism involved in solving problems; or, if you prefer, science is a process of fabricating a web of interconnected concepts and conceptual schemes arising from experiments and observations and fruitful of further experiments and observations" (*Modern Science and Modern Man* [New York, 1952], p. 62).

As thinking advances along these lines, we may begin to see the possibility of an economy of inquiry developing for the guidance of empirical work. A conceptual scheme, by its nature, points to certain questions as crucial and thereby offers standards of relevance. All this means a more devoted effort to formulate hypotheses, to order evidence, to pose alternatives, rather than defend positions or advocate solutions. We find more attention given to analysis and less to prescription or recommendations on the basis of inadequate evidence. The objective becomes not the assertion of universal laws or the establishment of basic principles but, rather, the verification of propositions presented with sufficient accompanying data so that other investigators may, if they choose, make comparable inquiries and reject, affirm, or modify the original propositions. It is such an attitude of mind that prepares the ground for investigators to achieve major break-throughs: this happens as empirical findings become cumulative and open the way to fresh theoretical formulations.

This concern with political analysis I find encouraging and significant. But it is, admittedly, a trend rather than an accomplishment, an attitude of mind rather than a system. The concern here is with a level of analysis, not as deep as the well of metaphysics, nor as wide as the church door of morals. It is one corner in the large and busy field of governmental studies where the frequenters, it is assumed, have already worked out for themselves elsewhere some reasonably satisfactory personal philosophy of life and of politics. They have their political loyalties and policy preferences, but they choose not to pursue these ends in this particular corner. Like any good club, it does not undertake to preempt the ties of family, church, or country.

The systematic analysis of political behavior and political processes is a significant growing edge of knowledge for our field. But it is better approached with an air of curiosity about politics than a desire to improve. It is a subject for the teasing needle rather than the tuning fork.

Political philosophy will continue to deal with ultimate aspects of authority in the state. We would probably all agree that government is concerned with authority, and authority has little meaning if divorced from ethical considerations. It may be argued that advances in analytical skills will eventually produce highly significant objective findings for guidance concerning values and morals in politics. How to use such data will remain a value judgment.

It is important to avoid the footless disputes that can arise from confusing the distinctive purposes of political philosophy and systematic political analysis. To argue their relative merits is to ask which leg is better. Both are needed for standing erect and moving forward in the world of practical affairs. Those studying politics and government, by the very nature of their subject matter, employ both normative and analytical approaches and often find collaboration with diverse specialists from other disciplines and professions very fruitful.

Granted, likewise, the importance for political scientists to specialize in fields of inquiry such as constitutional law or utility regulation or agricultural policy or international affairs, all of which call for informed judgment on matters of public policy. Certainly, today there are many questions of policy and ethics that must be answered, but to which political analysis in any rigorous sense can offer little.

For quite some time to come the advance of political science is best pictured as a widespread skirmish line of small and brave platoons. And, as we know, some at times seem to rely upon heavy verbal barrages to protect, if not to screen, their efforts. The important fact, however, is the probing, the exploring, the quest that is under way.

While all this variety is stimulating, it renders difficult of achievement for political science as a special discipline what some students of the history of science refer to as "intellectual autonomy." Recurrently, there has been a struggle within fields of knowledge to organize in accordance with the evidence within its own domain and to rule out extraneous issues that cannot be resolved within the limits of the field as defined. For example, a hundred years ago or less, geology found itself preoccupied with "material proof of the existence of God through evidence of the direct interference of Providence in the determination of earth history."

Today, such a concern would be regarded as obviously irrelevant by geologists and, I daresay, by most theologians also. If political science develops into an ever more rigorous discipline, less attention will be devoted to speculation about imponderables, not because such matters are of any less intrinsic importance but rather because students of government, through improved methods of observation and analysis within the technical confines of political science, will view as more rewarding and significant their resultant findings. The microscope and the telescope opened up stranger worlds than ever pictured in the legends of Prester John. In other words, the outcome, I think, will turn upon methodological inventiveness rather than conversion through the dialectical skill of any one school of thought.

The practical, down-to-earth nature of most governmental problems and the pragmatic temper of political scientists in the United States protect us from much extraneous disputation. At best, "intellectual autonomy" for political science is a distant goal.

Although it may be difficult to define political science precisely as an autonomous body of knowledge and method, *political scientists* have proved their usefulness in a great variety of ways, both in practical affairs and research. Furthermore, the teaching of government is frequently refreshed by direct contact with the subject matter through participation in governmental affairs by political scientists. Such experiences broaden, stimulate, and bring a test of reality to academic inquiry.

The incomplete data available suggest that nearly half the membership of this Association are engaged in applying their political science training in pursuits other than teaching. In the light of experience, what types of training have proved most useful? What is the full range of career opportunities? In what skills are men best trained? What attracts students to graduate study in the field? In learning more about political scientists we may learn more about political science.

My second main theme, then, has been to point out that as we clarify and develop political science as a discipline we both serve our professional needs and perform the vital function of helping our democracy to know itself better.

This faces the profession with both responsibilities and opportunities. We cannot afford to ride personal hobbies, to hawk panaceas, to pass glib judgments, to take positions on mere partisan grounds. Normative questions must be thought through to their fundamental philosophic bases: here clear thinking rather than training in any preferred discipline seems most relevant.

As political scientists, we have the duty to search out the relevant facts of politics, to develop methods of analysis that reveal basic relationships, and to lay bare the political realities.

III

As voters understand such matters ever more clearly, they will, I believe, appraise shrewdly those individuals who seek to further their own interests through exploitation of public concern with the Communist contagion. The theory of "government by conspiracy" can spread a virus of mutual mistrust more enervating and difficult to eradicate than the red rash now so worrisome.

Once, bedding was burned for contamination of yellow fever: books more recently were burned for taint of Communism: in confusion and futility.

When will the transmission of erroneous information and propaganda be given a bit of the same cool, intelligent treatment as that devoted to infectious germs and political demonology be replaced perhaps by political epidemiology?

Witchdoctors, true to type, respond appropriately to the public attention they are accorded. They earn their publicity, however unfairly, by making news. And we buy it:

> for which of you will stop
> The vent of hearing when loud Rumour speaks?

Amid the present contrived excursions and alarums, it is a little difficult to picture John Q. Public settling down with a good book, say, on the religious wars of the 17th century. I can, however, imagine an eventual state of mind that would make a whodunit seem more worth while than a who-thought-it, a who-joined-it, a who-isn't-saying, or a who-won't-tell. A feeling of boredom may help—so will a sense of humor; but behind all this, may I say MALARKEYISM, are problems of government that call for fresh examination.

We must go from the symptoms to the causes. A deep cause, I think, is a failure to understand the forces operating in the world around us. Why do so many Americans feel threatened? Is it the stubborn complexity of world problems and the difficulties arising from ideological differences and international rivalries that lead them to seek scapegoats among their fellow-countrymen? From the standpoint of efficient government, security clearances are necessary but so is the maintenance of administrative morale and the prestige of the public service.

We emerge victorious from a great war, stronger and more productive than ever before: the leader of the free world. Yet those who foster timidity, malice, suspicion, and penury seem able to weaken the operation of our representative institutions.

What do we witness only too often: emotional frustration built high upon ignorance. Those who picture the atomic bomb as a ready device for removing all wrong people if dropped in the right places apparently cannot understand why this simple operation has not already been performed. Faced with complex imponderables, man creates explanations: Zeus throws thunderbolts, bombs create tornadoes, the misguided or discarded enthusiasms of a few teachers or actors threaten the Republic!

Why assume that the conspiracy of Communism is best exposed where the limelight shines brightest? Hard training, sober judgment, and systematic effort is required to disclose and analyze adequately the designs of Soviet Imperialism. The exposure of these maneuverings is a job for specialists and requires high intelligence.

Moreover, this approach does not involve the risk of defeating our own ends by encroaching upon the traditional rights of citizenship. On the other hand, the practices of foreign dictators and domestic demagogues indicate that both draw their strength by playing upon ignorance, fear, and malice. Their sowing of suspicion and mistrust weakens normal human relationships and prepares the way for the further spread of their personal influence. Above all, they arrogate to themselves the testing of what constitutes loyalty to the state. The dictator grasps control of the instruments of power. Whether the demagogue becomes much more than an ugly noise depends upon the strength of the support he can attract.

"The forces of intolerance and demagoguery are greedy forces and unrestrained," as George Kennan has so well said. "There is no limit to their ambitions or their impudence. They contain within themselves no mechanism of self-control."

Democratic government offers no automatic control of such forces. The checks and balances of our system, legal procedures and judicial review, the competition of interest groups and political parties, federalism and sectional politics, are all barriers to those who would consolidate dictatorial powers in their own hands. But the ultimate protection from the demagogue and the conspirator rests in the capacity of each citizen to weigh and to judge. The mechanism for democratic self-control is the citizen's inner control: his knowledge of government, his shrewd political judgment, his capacity to turn from emotional appeals and fears to a sensible estimate of the situation. These provide the safeguards against domestic demagoguery. A thoughtful and hard-headed approach to affairs governmental constitutes the base upon which security from foreign threats is erected.

In summary, then, I see manifestations current in politics that constitute a retreat from reason, and, to retreat from reason today is to relinquish faith in our capacity for self-government.

Clearly, many of the problems that confront us as citizens transcend the limits of present knowledge. Yet our political behavior and political wisdom or folly will be of determinant importance in all. All involve the study and understanding of government and political forces.

For example:

Much more needs to be known concerning social change, whether through revolutionary movements or adjustments demanded by the advances of technology.

Much more must be learned about the use of our human resources for the great variety of tasks that call for highly trained people; and this involves among other things holding and rewarding effective public servants.

A better understanding is called for of how to foster basic scientific inquiry and venturesome research and how to encourage bold creative thinkers, within our traditions of equality, of mass production, and material success.

There is need to study how best to integrate military strength within our democratic way of life for the maintenance of national security.

And, finally, more attention should be given to the burdens borne by lawmakers in our state legislatures and in Congress. Here is the high point in that continuum of relationships of voter to voter, to local officials, to elected representatives, and on through the stages and processes that make self-government operative.

This sense of the continuity and interrelatedness of the workings of self-government is best taught by political science. We have a long way to go before we know our political system in full measure; but study points the way and analytical skill provides the vanguard.

In conclusion, I say to you: at a time when world responsibilities demand courageous and constructive action, we cannot as citizens permit confidence in our public instrumentalities to be weakened or faith diminished in our capacity as a free nation to direct public policies to the enhancement of justice and liberty at home and abroad.

THE UNITED NATIONS AND THE POLITICAL SCIENTIST*

DAG HAMMARSKJOLD
United Nations

Let me first of all thank you most heartily for your kind invitation to this luncheon. As an old hand in the political science field myself, I take a special pleasure in this opportunity of establishing contacts with your Association. Need I tell you that no occasion offering me such an opportunity could have been more welcome than this one because of the honour which you bestow today upon Ralph Bunche. The election of Dr. Bunche as President of your Association is a high tribute to his personal qualities and achievements. I am proud to be present here today to join in that tribute.

The political scientists had a great share in the creation of the United Nations Organization. And they are doing much in the classroom, in publications, and by their daily influence on public affairs to explain, to strengthen, and to help the Organization. Meeting you here today it is natural for me to try to explain how the United Nations' world looks from the inside to a social scientist who long ago had to abandon scientific work but who, in the back of his mind, in whatever job he has had to try, has given much thought to the challenge that the special activities in which he was engaged presented to his scientific imagination and conscience.

The area covered by your Association is very wide—certainly as wide as, but probably not any wider than that covered by the United Nations. On one of the frontiers of UN activities we find the highly specialized economist working with his statistical tools, at another frontier the expert on public relations and their psychology. At still another frontier is the diplomatic expert with his background in international political history. And at a fourth frontier you have the man specializing in problems of internal administration and institutional developments.

The United Nations and its activities reflect acute needs of our time. The diversification and the scope of its various problems and efforts mirror the diversification and problems of the present social and political situation. In this way the United Nations' experiences are indicative of the challenge of our time to the social sciences and the social scientists.

In many respects what is done in the United Nations is to apply to practical problems of today conclusions drawn in studies already made in various spheres of the social sciences. In other cases the United Nations embarks upon pioneer work, elaborating its own approaches and presenting practical conclusions to be studied by—and perhaps also challenged by—the independent social scientists. I am tempted to describe the situation in the famous phrase of Max Weber: to a large extent the United Nations is living off truth, as established by the social scientists, but it has also to live for truth, in its creative intellectual and practical activities.

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* Address delivered by the Secretary-General before the American Political Science Association at its forty-ninth annual meeting in Washington, D. C., September 11, 1953.

I think that the spheres in which the United Nations, and those working inside its Secretariat, have the greatest wealth of new material to offer to the social scientists for their studies are first, the sphere of institutional problems, proper to a world-wide international administration, and second, that of diplomatic techniques and of international relations as elaborated in an international body, serving all countries irrespective of the split of our world and the differences of national interests represented among the governments by which it has been established.

It would take me too far to go into any detail. It would, indeed, be presumptuous on my part to try to do so. My imagination as an ex-teacher of the University of Stockholm may lead me into temptation, but twenty years of political life have not dulled my scientific conscience nor muffled its warning against large conclusions from inconclusive evidence.

However, let me indicate briefly the nature of the problems I have in mind in the two specific spheres to which I have referred—problems which seem to me to present a challenge to the social scientists.

I imagine that a few of you have already given some thought to the very peculiar organizational and institutional problems developing in an international administration. One of those problems has recently had the honour of figuring even in the newspaper headlines. I refer to the implications of a truly international status for such an administration, a status of full independence. Other problems which affect the day to day work and are just as important, are scarcely noted by the public and certainly only partly known to those scientists who are interested in the field of public administration. Let me mention a few of them briefly.

In the United Nations Secretariat we have nearly sixty different nationalities represented. None of us can make ourselves entirely free from our own background, and why should we? Is not the national accent and the national experience very often a great asset in international cooperation? It certainly is, but at the same time it may introduce an element of division. It may tend to split what should be a unity into separate compartments. For the Secretary-General of the United Nations and his collaborators it is necessary to find ways to make the national elements an asset, to overcome the divisive influences and try to create a unity in which the diversity of the national backgrounds of the members of the administration are fully respected and preserved, but in such a way as to be an asset, rather than a liability in the work. I am sure it must be evident to you how difficult and challenging a problem this is.

Another problem in international administration is closely connected with the ways in which such an administration is influenced by different administrative traditions and national legal ideologies. I would like to give you a practical example of significance. In the United Nations Administration as it is now set up, you find a blend between administrative traditions typical of various parts of the world. For example from the American administrative practice the United Nations has derived a tradition calling for a high degree of specialization, from the European side a tradition calling for a high degree of permanency of employment and professional flexibility. The American system of specialization, as is well known, creates a need for a comparatively larger number of officials. But this number varies from time to time both upward and downward as changes are made in policies and programs and this in turn leads to less emphasis upon, and fewer safeguards for, permanency of tenure. The European system, on the other hand, works with a smaller number of officials and the employees are supposed to be able to adjust to a variety of different responsibilities. This European system makes it possible to give to employment a high degree of permanency, wherein the tendency to rigidity is counterbalanced by the flexibility of service. When you combine such traditions, as is being done in the United Nations, you are really trying out a new technique, natural in the light of prevailing circumstances, but fraught with difficulties, and so far insufficiently explored. By methods of trial and error we have to work towards an equilibrium between the various elements, adjusted to the special needs of a universal international administration.

The general problem just mentioned leads up to a whole series of questions which will have to be settled in the light of further experience. Let me mention only two. How is the specialized scientific expert to be fitted into the framework of the international administration? What is his proper function and what kind of status should he be given? And further, how is the problem created by the aging of specialized employees—a problem facing all administrations—to be solved in an international administrative system?

But let me leave this field and say just a few words also about the sphere where the United Nations Administration is pioneering in fields where it may be said to break new ground for the political scientists. Traditional diplomatic techniques are in principle, of course, bilateral. That is true even if many nations happen to be represented at the conference table. A truly multilateral approach to diplomacy does not come into being until an instrument is created which represents a denationalized platform for negotiations or a denationalized instrument for a number of governments. In the Annual Report to the Eighth Assembly I have said that I believe we have only begun to explore the full potentialities of the United Nations as an instrument for multilateral diplomacy, especially the most fruitful combinations of public discussion on the one hand and private negotiations and mediation on the other. I added that the opportunities are there to be tested and used.

This is a fascinating field where the experience of classical diplomacy, the successes and the errors of the League of Nations and of the United Nations, and the knowledge of the technique and psychology of a public debate utilizing to the full the modern media, all have to be taken into account by the political scientist as well as by those who are put in positions where they have to explore possibilities by action. Looking at my present job from the point of view of the social scientist, but looking at it also just as much from the point of view of somebody deeply engaged in the common effort to save peace and to build a world of peace, I cannot find any part of my present task more challenging than the one which consists in trying to develop all the potentialities of that unique diplomatic instrument which the Charter has created in the institution called the Secretary-General of the United Nations.

At this point I would like to depart from the beaten track of my prepared text and venture into wider fields even at the risk of losing my way.

I called the Secretariat and the institution named the Secretary-General instruments the full potentialities of which should be further explored. Instruments for whom? Well, of course, for the governments, but to be handled by the men and women assigned to the various posts in the Administration. I would not say anything here about *how* they are using the instruments. That would take me into the field of policy-making which I think is more properly discussed from other platforms. But I would like to indicate *what* they need as a background for the proper handling of the instruments, because these needs throw light on the challenge of our time to the political sciences in the spheres where the United Nations is in no way a pioneer but gratefully may reap where others have sown.

The Secretary-General—and I use him as a symbol for all of the Secretariat—is facing a public relations problem of a delicate and difficult nature. He is not out to "sell" anything. His is not a propaganda operation. But he has to try to reach the minds and hearts of people so as to get the United Nations' efforts firmly based in public reaction. As I said, we are not selling anything, but we feel that what we are doing is something that should have the support of the simple reactions of plain men, if we manage to tell them our story in the right way. So, the question of public relations to the Secretary-General develops into a question of human relations.

Human relations. The United Nations has to activate in its support people's urge to live together and work together in peace and decency. For that reason the United Nations has to try to create a new awareness of human and national interdependence. In order to be able to do so it will have to understand what makes so difficult the development of such an awareness. It will have to understand—and challenge—the fear that motivates so much of human action, the fear that is our worst enemy but which, somehow, seems to taint at least some corner of the heart of every man.

So the Secretary-General of the United Nations is led into very wide fields which are under the reign of political science. In his efforts he may have to enter the world of "An American Dilemma" and the land of "The Lonely Crowd," and he must give such knowledge its proper background in the broodings of the de Tocquevilles and Schumpeters.

When tackling the question of interdependence the United Nations must try to analyze for itself what determines group relations of the kind which international political history so often mirrors. I have already mentioned the element of fear, but there are other factors. We would be misled if we thought about international relations only in terms of diplomatic history. Economic policies and power politics are other forces at work in the background. We move here in the shadow of Burckhardt. We have to listen to those who analyze the dynamics of the great population movements and the national revivals. Finally we may arrive at a point where we have to analyze the situation with the finest tools of political economy in order to see how material factors determine or clash with human reactions.

You may feel that my departure from the beaten path has led me very far, indeed, when I try to cover in one sweeping movement spheres studied by the theoretical economist, the historian, and the student of the human mind. However, all the parts of political and social science are linked together. The man mastering all the various aspects does not exist. But each of us may be able to make a contribution and so to build up a picture which, although far from complete, gives us a rough map of the waters that we have to sail.

The ultimate challenge to the political sciences—and to us all—is whether man shall master his world and his history or let himself be mastered by a world and a history which after all is made by man. There cannot be more than one reply to this question. Man must master his world, but in order to do so, he must know it.

I have already taken much too much of your time, and yet I have only mentioned very superficially a few of the aspects of the challenge of our time to the social scientists, as reflected in the work and experience of the United Nations. I ask myself if there has ever been a period where the social scientists have had a greater task than today, where the challenge has been broader and more inspiring, and where the results achieved are potentially of greater significance.

In concluding let me add this. Recognizing the important part you as social scientists and as teachers and research scholars have played, are playing, and will play also in the future, it is from my point of view imperative for the United Nations and for its Secretary-General to establish and develop the closest possible working relationship with the group you represent. We are grateful for your help and count heavily on it for the future and I give you the pledge that to the extent the Secretariat of the United Nations can help you in return we will be happy to do so.

THE GERMAN SOCIAL DEMOCRATIC PARTY AND THE INTERNATIONAL SITUATION*

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Following the general election of September, 1953, the German Social Democratic party (SPD) finds itself in the role of a sole opposition party, a phenomenon in modern German politics. Confronted by a nearly solid phalanx of anti-socialist parties, the SPD approaches a period of crisis and of continuous strain. The ability of the Government to marshal an absolute majority at all times and a two-thirds majority when need be, threatens to relegate the party to virtual legislative impotence. Yet there are several factors militating for the continued existence of the SPD as a vigorous opposition party. Not having to compete with an irresponsible Communist organization in Western Germany, the SPD can be considered as the principal representative of the working class. Furthermore, its long history, its highly developed organizational apparatus, the discipline and devotion of its rank and file, coupled with the will to attain power, make the SPD a factor of relative significance in German as well as in European politics.[1]

On the other hand, the dynamics of the East-West conflict, and especially Germany's geographic and political relation to it, tend to affect the political fortunes of the party somewhat adversely. The international situation represents a deadly challenge to the SPD and its survival as an influential political organization may well depend upon its ability to generate a counterforce to the pressures exerted upon Germany by the super-powers. It is to throw some light on this aspect of the SPD's existence that the present article was written.

A British Socialist, attempting to give his party a new political orientation, observed that it was the task of a socialist foreign policy to exercise restraints on the policy of the Atlantic Powers. "We must first accept the Cold War as the central fact of twentieth century politics (just as class war was the central fact of nineteenth century politics) and then disprove the prophets who prove that it must end in World War III."[2] There are strong indications that German Social Democracy has accepted the "central fact" and has made it the basis of a foreign policy program which, for the present at least, tends to lead that party in the direction of nationalism.

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* Parts of this article are based on the results of a field trip to Germany to study the 1953 election under the direction of Prof. James K. Pollock. The author gratefully acknowledges the generous grant by a private foundation which made that trip possible. Plans call for an extensive publication on various aspects of the German election by the several members of the research team at the University of Michigan.

[1] It must be noted, however, that between the years 1949 and 1951 dues-paying membership dropped from 736,218 to 649,529. *Jahrbuch der Sozialdemokratischen Partei Deutschlands, 1950–1951* (Bonn, 1952), p. 170.

[2] R. H. S. Crossmann, "Towards a Philosophy of Socialism," *New Fabian Essays* (London, 1952), p. 32.

The trend toward nationalism, or parochialism, within the socialist international movement is in itself an old one. In that respect, it can be said that the history of German Social Democracy is but an illustration of the general rule. Quite contrary to the spirit that led Karl Marx to raise the battle cry, "Workers of the world, unite," German Social Democracy had very early in its existence developed a distinct partisanship for the German state.[3] Long before the outbreak of the Great War, which Marx failed to foresee, German Socialists had made it unmistakably clear where they intended to take their stand in the event of an armed international conflict.[4]

Following World War I, when the SPD found itself temporarily in possession of power, its leaders joined the chorus of those demanding that German sovereignty remain untouched and unimpeded. Even though the party, as the responsible element in the government of the day, was obliged to accept the peace settlement, it went on record, nevertheless, as being in favor of revision, or even renunciation, as soon as the requisite power potential was at the country's disposal.[5] This attitude of belligerence, even defiance, toward the powers which had just defeated imperial Germany was not at all out of character. It was caused by a combination of circumstances—not entirely different from those prevailing after 1945—which saw a young Republic, socialist dominated, intent upon making a stand against a capitalist alliance, and a socialist party eager to preserve the constitutional framework on the scene of its first great success.

It was not long after the founding of the Weimar Republic that the SPD was called upon to defend Germany's national sovereignty against what might well be called "the free enterprise international." During the Ruhr occupation the great industrialists, wishing to ignore the position of the SPD in national politics, proceeded to negotiate a settlement with the occupation powers. With the fate of the Republic seemingly at stake, the leadership of the party showed itself to be the real prop of national state sovereignty. Karl Severing, Prussian Minister of the Interior, declared that it was necessary, in order to defend the republican form of government, "to concentrate all the forces making for the preservation of the State, in order to transform the disintegrated German people into a nation."[6] It was ironical indeed that a party so vigorous in its defense of the state, so forceful in its advocacy of national socialism, so determined to maintain national unity, had to see some of these objectives realized—temporarily at least—by its arch foe, Hitlerism. It is perhaps that fact, combined with the pressures generated by the Cold War, which shaped the foreign policy concepts and ideas of the new SPD of post-concentration-camp days.[7]

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[3] For a discussion of the transformation of socialism, see Henry de Man, *The Psychology of Socialism* (New York, 1927), Ch. 11; Joseph Berlau, *The German Social Democratic Party, 1914–1921* (New York, 1949), Ch. 1; and Denis Healey, "Power Politics and the Labour Party," *New Fabian Essays*, pp. 161–79.

[4] SPD, Protocoll des Parteitages 1907, as cited in Berlau, p. 46.

[5] Germany, *Verhandlungen des Deutschen Reichstags, Stenographische Berichte*, Band 327, pp. 1408–9 (July 9, 1919).

[6] Karl Severing, *Mein Lebensweg*, 2 vols. (Köln, 1950), Vol. 2, pp. 464–66, 480–81.

Looking back and attempting to provide a practical answer to the question why a party, once so strongly supported by the electorate, had permitted power to slip from its grasp, the leadership might very well have arrived at the conclusion that the party had failed to read the signs of the times. Although it had already become identified with nationalism in many respects, it had primarily, for sentimental reasons, and in tribute to a mythical international solidarity of workers, kept one foot in the camp of internationalism. It had thus become identified with every international scheme advanced to guarantee the peace and international cooperation, and had consequently been saddled with responsibility for international measures designed to prevent Germany's return to power. It was clear that such a reputation militated against success at the polls in a modern nation-state.[8]

The new Social Democratic party, licensed to operate in the Western zones, showed very early that it did not intend to forget the bitter lessons of the past.[9] In spite of the fact that there was widespread support for a policy of "europeanization" among the liberated Germans, the SPD moved cautiously in the treacherous waters of internationalism. Its leadership had, of course, never denied that a universal interest of the working classes existed, at least in the abstract. What they had denied—by word and action—was that the international of economic interests led necessarily to an international of political interests. The German Socialists, perhaps more than any other group, realized that the international of class interests was confronted by the moral and political fact of an international relationship which was poisoned by the psychological consequences of the myth that all the responsibility for a war lies with one or the other group of belligerents.[10] This was, of course, more true in 1945 than it had been in 1919. In the latter case there had at least been some doubt about the German guilt, whereas no such doubts existed after World War II. The bitterness generated by the German occupation forces was bound to manifest itself in hostile attitudes toward all Germans, socialists and anti-socialists alike. Furthermore, there was the fact of an essentially capitalistic alliance of Western powers tending to resist economic reforms along socialist lines. Finally the German Socialists, along with most of the other socialist parties of Europe, had come to recognize the inadequacies of economic determinism as a key to the political behavior of the masses.[11] Something else had to be added to the party's ideological equipment and past experience seemed to indicate that further nationalization of socialism was the answer. Thus, continued transition of German Social Democracy from a nominally internationalist party to one more openly dedicated to national orientation was recognizable, in outline, at the beginning of the postwar period.

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[7] See Erich Matthias, *Sozialdemokratie und Nation* (Stuttgart, 1952), esp. pp. 246–56.

[8] See Fritz Erler, *Soll Deutschland Rüsten?*, SPD pamphlet, pp. 53–55; also Arthur Rosenberg, *Geschichte der deutschen Republik* (Karlsbad, 1935), pp. 101–9; and Matthias, p. 62.

[9] For a competent discussion of the events leading to the merger of the Communist party and the SPD in Eastern Germany, see J. P. Nettl, *The Eastern Zone and Soviet Policy in Germany, 1945–50* (London, 1951), Ch. 4.

[10] de Man, *The Psychology of Socialism* (cited in note 3), p. 306.

[11] Francis W. Coker, *Recent Political Thought* (New York, 1934), pp. 135 ff.

A taste of things to come was provided in the relatively unobtrusive *Leitsätze*, laid down to guide the party's postwar strategy.[12] A more aggressive attitude became apparent with the developments leading to the creation of a new German state. At its annual meeting in 1948, the party went on record as demanding "a full and equal" participation by Germany in all European undertakings, an end to dismantling actions, and particularly the cessation of Allied interference in German "internal affairs."[13]

The early local elections of 1946 and 1947 had indicated that the party was within reach of obtaining a majority in the federal parliament to be elected. Under those circumstances it was decided that precautionary steps had to be taken to prevent the introduction, or re-introduction, by capitalist circles of economic devices the purpose of which was to remove commercial and industrial controls from the jurisdiction of a future German government. Since it was suspected that the Marshall Plan was just such a device, the party expressed opposition to it. The same applied to the Ruhr Statute. Likewise, a statement on the question of German rearmament bristled with defiance and put the party on record with a resounding "no."[14]

The national elections scheduled to take place in the fall of 1949 provided the impetus for a stepped-up campaign. Aside from the element of personal urgency displayed by the party's dynamic chairman, Dr. Kurt Schumacher, it became quite apparent that the course which the party was to follow from then on would ultimately take it further into the troubled waters of nationalism. An attempt was made to rally a majority of the German electorate behind the party. Because it was a matter of record that a strictly socialistic appeal would not produce a majority in Germany, the appeal was broadened to include nationalism and patriotism as well. It seemed that all feasible precautions were being taken to avoid a recurrence of the catastrophe of 1933 which had brought the dictatorship of Hitler and the incarceration or execution of socialist leaders.

As the Basic Law neared its completion, Schumacher denounced what he called interference by the Occupation Powers and demanded adoption of the document without the amendments which had been proposed by the Military Governors.[15] Determined to avoid the errors of 1918 and 1919, the party took pains not to become too closely identified with the new constitution. It was feared that unqualified acceptance of the Basic Law would lead to the charge that the party shared responsibility for the East-West split of Germany. Also, in view of the fact that the Western Allies had seen fit to urge the adoption of certain constitutional features, it was deemed to be strategically sound to convey the impression that the Basic Law had been accepted under duress. With reference to the probability of future debates on the subject of constitutional paternity, a resolution attacked "the far-reaching identity of views between the ruling clique of the CDU/CSU and the Occupation Powers regarding the structure of a German State."[16] When the final vote on the completed Basic Law was taken, the SPD voted in the affirmative, but with the understanding that the document was to be of temporary validity and that under existing circumstances (i.e., as a result of Allied pressures) it had to be accepted as a lesser evil.[17]

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[12] Kurt Schumacher et al., *Das Programm der Opposition*, SPD pamphlet (Hanover, 1949), p. 43.

[13] *Jahrbuch der Sozialdemokratischen Partei Deutschlands, 1948–1949* (Hanover, 1950), pp. 114–15.

[14] *Ibid.*, p. 136.

[15] Lucius D. Clay, *Decision in Germany* (New York, 1950), p. 431.

Considering the widespread desire among Germans living in the Western parts to see their country unified once again, it was, of course, only natural for a party seeking mass support to campaign on the issue of unification. At the time the issue lent itself ideally to political exploitation, since approximately twenty per cent of the population in the three Western zones came from the Russian zone, Poland, Czechoslovakia, and from other points east of the great international divide.[18] But the political potentialities of irredentism were not the only considerations that led to the vigorous campaign for unification and against every Allied move which tended to interfere with that goal. Thuringia, Saxony, and Brandenburg had traditionally been areas of strong socialist majorities. There was reason to assume that these areas, if joined to the rest of the Republic, would assure the SPD a majority in an all-German parliament.[19] The politico-religious aspects of the split were also of great significance. The ascendancy of catholicism in German politics as a direct result of the loss of predominantly protestant areas was being viewed with grave concern by the traditionally anticlerical Left.

The new face of the party was further revealed by charges that the Allies contemplated the subjugation of Germany to a state of virtual peonage, and that a movement was afoot to detach German areas, such as the Saar, from the mother country.[20] Especially revealing were the remarks of the party's chairman concerning the denazification proceedings wherein he demanded that prosecution of "followers" be brought to an end on the grounds that mistakes committed by these people were no worse than those which had been committed by "big statesmen of the major powers in the early days."[21]

The elections to the federal Parliament did not bring the desired majority.

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[16] Office of Military Government for Germany (OMGUS), *Documents on the Creation of the German Federal Constitution* (Berlin, 1949), p. 134; also, *Was Wir Wollen*, SPD pamphlet, p. 7.

[17] *Jahrbuch der SPD, 1948–1949*, pp. 12–18, 138–39.

[18] See "The Political Aspects of the Refugee Problem," Office of the U. S. High Commissioner for Germany (HICOG), *4th Quarterly Report*, pp. 30–34 (July–Sept., 1950).

[19] *Socialist International Information*, Vol. 2, p. 13 (Nov. 22, 1952); also OMGUS, *Government and Its Administration in the Soviet Zone of Germany* (1947), pp. 27–38.

[20] *New York Times*, July 10, 1949, p. 10.

[21] *Ibid.*, July 24, 1949, p. 3; *Jahrbuch der SPD, 1950–1951*, p. 16.

Instead, the SPD had to be satisfied with the role of an opposition party.[22] However, the returns indicated that the party had managed to keep its share of the refugee and expellee vote, that its appeal to the traditionally nationalistic lower middle class had at least been partially successful, and also that it could continue to count on the overwhelming support of the workers.[23] It was hoped that the margin of victory in the general election of 1953 would be obtained from the young voters and from those who were dissatisfied with Adenauer's foreign policy.

The foreign policy views of the leading opposition party were first summarized in a sixteen-point resolution adopted by the party's Executive Committee on August 29, 1949.[24] The statement itself was cautiously phrased and lacked the flamboyance of general campaign oratory. It was a sweeping statement though, and touched upon every known issue involving Germany's independence, sovereignty, and territorial integrity. What was most significant, however, was the failure to incorporate some references, meaningful and specific, to Western European integration, or to a United States of Europe. It was also noteworthy that the statement failed to include the traditional call for international solidarity of the working class.

The first great opportunity to voice the party's foreign policy approach came with the debate on the new Adenauer Government's declaration to the Bundestag on September 21, 1949.[25] Dr. Schumacher took great pains to exploit the Government's inability to state certain foreign policy demands forcefully and openly. With this approach he set the pattern for the strategy to be followed by the party in parliament and in the country at large. Pointing to the Occupation Statute, the Ruhr Statute, the Oder-Neisse Line, the frontier adjustments in the West, the Saar, and Franco-German relations in general, the party chairman voiced strong demands for change or improvement of Germany's international position. "It is high time," he stated, "to point out that back in 1945, the SPD was for quite a long time the only party to oppose the Oder-Neisse Line. . . . " He criticized Adenauer's failure to outline "any plan or conception for a progressive German foreign policy." In general, his attack was purely negative. There was no attempt to present to the Bundestag an outline of an alternate foreign policy. His was the typical opposition maneuver designed to embarrass the Government without offering a helping hand.

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[22] The SPD elected 131 representatives of a total of 402 in the Bundestag and held 20 of the 43 seats in the Bundesrat. The party's strength in the lower house entitled it to the chairmanship of several committees, of which the Committee on the Occupation Statute and Foreign Affairs and the Committee on All-German Affairs were the most important for present purposes. The leadership in the former body was assumed by Carlo Schmid, the party's leading foreign policy expert. The leadership of the parliamentary delegation itself was left in the hands of Kurt Schumacher, who was assisted by Erich Ollenhauer and Carlo Schmid. For election statistics, see HICOG, *Elections and Political Parties in Germany, 1945–1952* (Bad Godesberg, 1952); also "Die Bundestagswahl am 14 August 1949," *Statistik Der Bundesrepublik Deutschland*, Band 10 (Wiesbaden, 1952).

[23] See Otto Kirchheimer and Arnold H. Price, "Analysis and Effects of the Elections in Western Germany," Department of State *Bulletin*, Vol. 21, p. 568 (Oct. 17, 1949).

[24] The Dürkheimer Program, in *Das Programm der Opposition* (cited in note 12), p. 45.

[25] *Ibid.*, pp. 5–39.

Turning his attention to the then forthcoming accession of Germany to the Council of Europe, and with reference to international projects in general, Schumacher advised the Government that, as a matter of principle, "the underlying thesis of German foreign policy should be that important material considerations [i.e., vital national interests] should never be jeopardized merely to meet an urgent deadline."[26] This not only represented a clear departure from the policy of fulfillment pursued by the party between the wars, but also augured a return to *Realpolitik* as a means of achieving the realization of national objectives. It meant that the SPD would insist that a full measure of advantage be extracted from a given international situation before concessions would be made by a German government.

The third SPD speaker participating in that great debate, Carlo Schmid, developed the neo-nationalist line even more clearly. Addressing himself to the central thesis of the Adenauer Government's foreign policy, namely, close cooperation with the West, he lashed out against what he termed "a further application of the Wilhelmstrasse tradition which seeks to offer Germany as a tool to the West." With a distinct anti-American edge, he noted that influences were at work to impose "extra-European" concepts upon the European community. In that connection, the occupation "was not designed to protect Germany but represented instead an interventionist act the purpose of which it was to give the Allies an opportunity to do certain things which normally could only be done by Germans." He concluded from the foregoing that it would be necessary to develop a "German foreign policy" to be distinguished from the type of policy that was merely an expression of foreign wishes. "Anti-nationalism," he observed, "did not require that a German foreign policy had of necessity to be a function of the foreign policy of other countries, East or West."

Did Germany possess the power potential necessary to pursue an independent foreign policy? Dr. Schmid provided an answer: "One should not underestimate the means at our disposal. One should not forget that in certain areas and in certain situations there is a potential superiority of the vanquished over the victor."[27] To leave no doubt as to the meaning of these words, he stated, paraphrasing Cavour: "Italia farà da sè, Germania farà da sè." It was perhaps no more than a logical consequence of such politics when the head of the party insinuated, from the floor of the Bundestag, that Chancellor Adenauer had been guilty of treasonable conduct by failing to take advantage of Germany's strong bargaining position.[28]

The bitter exchange between the Chancellor and the leader of the opposition had been caused in part by the signing of the so-called "Petersberg Protocol."[29]

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[26] Germany, *Bundestag, Stenographische Berichte* (hereafter cited as *Bundestag*), 6 Session, p. 42 (Sept. 21, 1949).

[27] *Bundestag*, 10 Session, pp. 183–84 (Sept. 29, 1949).

[28] *Bundestag*, 18 Session, pp. 525–26 (Nov. 24, 1949).

[29] HICOG, *1st Quarterly Report*, Appendix VII (Sept.–Dec., 1949).

Under the resulting agreements, the federal government had obtained certain concessions in return for a German pledge to apply for membership in the International Ruhr Authority. In the course of the ensuing discussions, the SPD took the position that the Protocol required formal ratification by the Bundestag on the grounds that it constituted a treaty in the sense of Article 59 (Par. 2) of the Basic Law.[30] The strategy to utilize the Basic Law as a brake on the Government's foreign policy operations was to become a major weapon in the arsenal of the opposition party.[31]

The issue of German rearmament, raised earlier, flared to a fully grown controversy when the Chancellor was careless enough to permit himself to be interviewed on that delicate subject.[32] The SPD swung into action immediately. As far as the basic principles of armed defense were concerned, there was, of course, no real issue. The party was neither pacifist nor oblivious of the real danger threatening from the East.[33] What was at issue was primarily the question of German equality in the proposed defense system. It was a matter of politics, not of morals. The tendency to hold the Allies incapable of living up to their pledges also contributed to the resistance. The party insisted that the Allies commit themselves more fully and without reservations to the defense of Germany proper. Without iron-clad guarantees and real commitments, so it was maintained, German rearmamemt would inevitably tend to provoke the Soviet Union into precipitating the very actions which the scheme was supposed to prevent.[34] Furthermore, it was suggested that the Allies desired West-German participation in the European defense system because such a development would tend to block further efforts to bring about the unification of all of Germany.[35]

Strong evidence that the SPD was moving in a new direction, internationally speaking, presented itself in connection with the Council of Europe. Here the socialist opposition was just as adamant as in the case of rearmament. The lessons of the past, so it seemed, were not going to be ignored. The orthodox approach that had in the past seen socialist parties underwrite any scheme designed to advance international cooperation gave way to a more realistic, albeit a more parochial attitude. As one spokesman put it: "It is necessary to make it clear, whether the SPD is a new party or whether it is the old 'me-too' party."[36] The alignment of international political forces under the impact of the cold, ideological war, was different from that which had prevailed during the years following World War I. For the SPD , it was to be Germany first and then Europe, for the conservatism of the ruling circles in Western Europe did not inspire the socialist leadership with confidence.[37]

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[30] *Bundestag*, 18 Session, p. 487 (Nov. 24, 1949). The party promptly submitted its case to the newly created Federal Constitutional Court; see Elmer Plischke, *The West German Federal Government* (HICOG, 1952), p. 119.

[31] *Jahrbuch der SPD, 1950–1951*, p. 11.

[32] *Bundestag*, 24 Session, pp. 734–35 (Dec. 16, 1949).

[33] For a discussion of the SPD's position on the subject of militarism, see *Verhandlungen des Deutschen Reichstags*, Band 391, pp. 857 ff. (Dec. 16, 1926); see also Erler, *Soll Deutschland Rüsten?* (cited in note 8), pp. 5–6.

[34] *Bundestag*, 24 Session, pp. 735–36. There was also, of course, the important consideration of political control. From the SPD's point of view it was of vital importance that the new army was formed and organized while a Socialist government was in a position to keep a close eye on it; see also Klaus-Peter Schulz, *Deutschland und die Verteidigung Europas*, SPD pamphlet, pp. 12–13.

[35] Cf. the debate on the European Army, Council of Europe, Consultative Assembly, *Reports*, 2 Session, pp. 85 ff. (Aug. 11, 1950). On another occasion, Carlo Schmid portrayed the situation rather bluntly when he observed: "It would be better to be bolshevised dwelling in an undamaged house than to be bolshevised as a cripple living in a hole in the ground." HICOG, *5th Quarterly Report*, p. 5 (Oct.–Dec., 1950).

From the point of view of a German party struggling to attain power amidst the ruins of what had once been a veritable citadel of nationalism, active support of the Council of Europe and identification with international projects of dubious purpose seemed strategically unsound. The SPD could not well afford to overlook the effects which conservative economic planning, within the framework of a European regional organization, would inevitably have upon their class interests—and upon their political fortunes, for that matter. Nor could they dare close their minds to the fact that no matter how effective an international organization Europe could create, the fear psychology of a country like France was bound to break through; the resultant manifestations would inevitably open the floodgates to German nationalistic excesses.[38]

In their refusal to subordinate domestic political considerations and class interests to the demands of European cooperation, the German Socialists were not alone. They could certainly count on similar trends among their fellow-socialists in Britain and in France, and probably in all other European countries.[39] It had become quite apparent that the early enthusiasm, so fervently espoused at international congresses during the immediate postwar period, had since been supplanted by an attitude of excessive caution and reserve.[40]

In order to ward off the inevitable charges of hypernationalism, Carlo Schmid developed a suitable dialectic reply. He argued that what appeared to be internationalism in European politics was in reality the sum total of nationalistic aspirations in certain victor countries. The SPD would therefore be delinquent in its duties if it failed to warn the German people against "political decoys, sailing under false flags."[41] According to Dr. Schmid, the "true internationalism" was that type based upon a strong, united, and independent Germany, and including not only Britain and Scandinavia, but also Prague, Warsaw, and Budapest.[42]

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[36] *Sopade* (Sozialdemokratische Parteikorrespondenz), No. 898, p. 44 (June, 1950).

[37] *Ibid.*, pp. 32–33.

[38] *Bundestag*, 9 Session, p. 158 (Sept. 28, 1949), and 145 Session, p. 5781 (May 31, 1951); Kurt Schumacher, *Macht Europa Stark*, SPD pamphlet (Hanover, 1951), p. 17.

[39] See the statements by the representative of Great Britain, Mr. Lee, Council of Europe, Consultative Assembly, *Reports*, 1 Session, p. 290 (Aug. 17, 1949); the representatives of France, André Philip, 3 Session, pp. 246–47 (May 10, 1951), and Raul Reynaud, p. 254 (May 11, 1951).

[40] Cf. Great Britain, Labour Party, *Report of the Forty-Eighth Annual Conference* (London, 1949), p. 224; see also Carlo Schmid on the subject of European unity, *Socialist International Information*, Vol. 2, pp. 11–14 (Nov. 22, 1952). The SPD delegation to the Council of Europe voted against every one of the crucial proposals before that body. On every important issue they voted against the other half of the German delegation; see Consultative Assembly, *Reports*, 2 Session, p. 165 (Aug. 11, 1950); p. 913 (Nov. 24, 1950); and p. 549 (Aug. 26, 1950).

It was but the logical consequence of the foregoing that the SPD rejected the economic proposals which became known as the Schuman Plan. Although the initiative for a pooling of resources had come from SPD circles as well as from France,[43] it became clear, once the proposals had been incorporated into a concrete plan, that the brain child did not show the characteristics expected by the parent.[44] As soon as the French Foreign Minister had formally proposed the merger of the French and German steel and coal industries on May 9, 1950, a reply from Schumacher indicated that the proposals had fallen considerably short of SPD thoughts on the subject of international economic cooperation. Schumacher indicated in fact that he saw in the Plan a direct challenge to German national interests.[45] Since there was ample ground for complaint on Germany's part, if national interests were taken as a basis for criticism, and because the Government was honor-bound to promote the Plan for reasons of high policy, the SPD, as the opposition party, was able to utilize the Plan as a means of gaining political advantage in the German arena.[46]

It was claimed that the Plan represented an ill-concealed attempt to shackle Germany's industrial capacity to the advantage of the comparatively free industries of France, Belgium, and Italy.[47] One spokesman went so far as to suggest that the various other functional organs of European regional cooperation represented nothing but French political and diplomatic schemes disguised in "European clothing." More to the point was the observation that the Schuman Plan was but one step in the direction of a European federation, the real purpose of which was the creation of a supra-national authority to control Germany by majority vote.[48] To strengthen the case against the Plan, the SPD employed the identical weapon used by the nationalists of old, namely, the citation of points made by the French Government in its endeavor to steer the project through the French National Assembly.[49]

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[41] Carlo Schmid, *Die Aussenpolitik der SPD*, SPD pamphlet. p. 5.

[42] Consultative Assembly, *Reports*, 2 Session, p. 87 (Aug. 11, 1950); and *Bundestag*, 10 Session, p. 184 (Sept. 29, 1949).

[43] *Bundestag*, 10 Session, p. 185.

[44] A woman delegate went so far as to call the Plan "an illegitimate child of *mars oeconomicus*"; *Bundestag*, 103 Session, p. 3755 (Nov. 16, 1950).

[45] *Sopade* (cited in note 36), pp. 32–33; see also Consultative Assembly, *Reports*, 2 Session, pp. 211–12 (Aug. 14, 1950).

[46] The SPD's position with respect to the Schuman Plan has been described in the following party publications: *Was Weisst Du Vom Schuman Plan?; Der Schuman Plan Führt Nicht Nach Europa;* Erich Ollenhauer, *Deutschland und der Schuman Plan;* Kurt Schumacher, *50 Jahre mit gebundenen Handen;* and *SPD und der Schuman Plan*. All of the foregoing pamphlets were published between 1951 and 1952. See also *Jahrbuch der SPD, 1950–1951*, pp. 258–60.

[47] *Bundestag*, 161 Session, p. 6517 (July 12, 1951).

[48] *Bundestag*, 176 Session, pp. 7216–17 (Nov. 22, 1951); 182 Session pp. 7611 ff. (Jan. 9–11, 1952). The SPD voted against the Plan, which passed the Bundestag 232 to 143, with 3 abstentions.

A subsequent publication on that subject, prepared for the 1953 election campaign, constituted the bitterest SPD attack on European integration so far made. It depicted the Schuman Plan as an outgrowth of a conspiracy designed to make German unification more difficult. It charged that the Plan amounted to a plot to render Germany less capable of competing with France on the world coal and steel market. In support of that thesis, it pointed out that the German coal-producing industry had been carefully deprived of its principal features of economic stabilization while France had been allowed to retain her stabilizing syndicates, such as the *Comité des Forges*. These "suicidal" economic practices, the publication pointed out, had been further aggravated by discriminatory taxation and contribution schemes which militated even more against German equality in this alleged venture in European unity.[50]

The resistance to economic measures of the type involved in the Schuman Plan was firmly backed—if not largely inspired—by the German Trade Union Federation (DGB). Walter Freitag's partisan attack on the Government's policy during the election campaign was symptomatic of the close relationship of the SPD and the DGB on matters of fundamental importance to the working class. Addressing himself to the government-authorized sale of industrial properties to non-German interests, the chairman of the powerful Trade Union Federation accused Adenauer and his coalition of treasonable conduct.[51] Again, it was the suspicion that the free enterprise international was conspiring against the workers that brought the DGB to the support of the socialist movement.

The SPD's attitude toward French efforts to alienate the Saar territory from Germany was partly motivated by the desire to make political capital out of the Saar issue and partly by the fear of losing the Saar mines to the unbridled influence of West-European capitalist interests.[52] In 1950, the German delegation to the Socialist International caused the conference to adopt a resolution wherein the German claims to the coal-producing Saar were cautiously recognized by the member parties.[53] Similar steps were taken in the Council of Europe. In Germany itself, the SPD never ceased to point out that Adenauer's policy of European integration had not yet led to a satisfactory solution of the thorny Saar question. The SPD opposed all attempts to rob Germany of that vital source of raw material, including the various proposals to "europeanize" the disputed area.[54] Such schemes, Ollenhauer pointed out, were nothing but camouflaged attempts at annexation. The seizure of the Saar by France would tend to justify Soviet Russia's actions concerning the Oder-Neisse line in the East, and the SPD would never consent to either.[55]

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[49] *Frankreich und der Schuman Plan*, SPD pamphlet.

[50] *Götterdämmerung beim Schuman Plan*, SPD pamphlet (Bonn, 1953).

[51] *Frankfurter Allgemeine Zeitung*, Aug. 22, 1953, p. 3.

[52] The SPD's position on the Saar question is conveniently found in *Jahrbuch der SPD, 1950–1951*, pp. 77–83; see also the SPD pamphlets *Die Europapolitik der SPD* (Bonn, 1953), pp. 25–27; *Protocoll, SPD Wahlkongress 10 Mai 1953* (Bonn, 1953), pp. 43–47; and *Neuer Vorwärts*, Aug. 21, 1953, p. 11.

[53] *Jahrbuch der SPD*, pp. 256–57.

[54] *Die Europapolitik der SPD*, pp. 26–27.

Perhaps the most conclusive test of the SPD's intentions was provided by the resolutions adopted at the Second Congress of the Socialist International. Here it was not a matter of accepting ideas and concepts of capitalistic origin, for here the SPD was among ideological friends. However, proposals to go on record in support of collective security and of European integration found the SPD just as adamant as when these ideas had been advanced by representatives of the free enterprise system.[56] It almost seemed as though German Social Democracy had become the champion of a divided Europe and that German national objectives were crowding international objectives off its agenda.[57]

Concerning the proposed "Contractual Agreements," to take the place of a peace settlement with Western Germany, the attitude of the SPD was a foregone conclusion. The terms of the agreement were assailed as soon as they became public.[58] It was alleged, as in the case of the Schuman Plan, that the provisions tended to place excessive burdens upon Germany, while the treaty partners stood to profit by the same terms.[59] Furthermore, it was pointed out that the signing and ratification of these conventions would in the end have the opposite effect upon world peace from that which the originators claimed for it. The signing of these agreements would actually tend to provoke rather than prevent Soviet aggression.[60] It was charged that France, the "clerical power," and the "CDU clique at Bonn," had combined forces to bring about the permanent mutilation of the German nation.[61] Kurt Schumacher, with matchless zeal, observed that "whoever signs these treaties is no longer a German," paraphrasing as it were, and apparently with studied deliberation, a similar charge hurled at the signers of the Treaty of Versailles by the supernationalists of the interwar period.[62]

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[55] *Protocoll, SPD Wahlkongress* (1953), pp. 25–26.

[56] *Socialist International Information*, Vol. 2, pp. 11–12 (Oct. 25, 1952); also *Sopade*, No. 927, pp. 67–69 (Nov., 1952); and *Fact* (the Labour party monthly), Vol. 10, p. 6 (Nov., 1952).

[57] On April 3, 1952, when pressed on the subject of international socialist solidarity, Ollenhauer made it unmistakably clear that the SPD would not consider itself bound by resolutions adopted at meetings of the International. *Bundestag*, 204 Session, p. 8790 (April 3 and 4, 1952); see also "Sozialistische Internationale," in *Jahrbuch der SPD, 1950–1951*, pp. 256–71.

[58] *Bundestag*, 214 Session, p. 9414 (May 23, 1952). For the text of the several agreements and related documents see U. S. Senate, *Convention on Relations with the Federal Republic of Germany* (etc.), 82d Cong., 2d sess. (1952); also Edward H. Litchfield and Associates, *Governing Postwar Germany* (Ithaca, N. Y., 1953), Appendix N. The SPD's position on the agreements has been laid down in these publications: *Die Fesseln der Deutschen Politik: General-Vertrag und EVG-Vertrag*, SPD pamphlet; and *Handbuch sozialdemokratischer Politik* (Bonn, 1953), pp. 71–74.

[59] *Bundestag*, 214 Session, p. 9414 (May 23, 1952).

[60] "The unification of Germany remains more important to the peace of the world than any selfish policy of Western integration," Kurt Schumacher, *Newsweek*, Vol. 39, p. 36 (June 30, 1952); see also Ollenhauer, *Vor Entscheidungen für Jahrzehnte*, SPD pamphlet (Bonn, 1952), pp. 16–19.

[61] *Bundestag*, 222 Session, p. 9874 (July 10, 1952). The speaker raised the question of compatibility between the EDC Treaty and the Franco-Russian Pact of 1944 and expressed the fear that France, pursuing the line established by that pact, would one day seek an agreement with the Soviet Union at the expense of Germany and German unity; see *Die Fesseln der Deutschen Politik: General-Vertrag und EVG-Vertrag*, p. 20.

It was the question of rearmament, however, which produced the greatest controversy. In the opinion of a majority of the SPD's leaders, Germany's integration into the Western defense system endangered the cause of German unification, a cause upon which the very survival of the party depended. Furthermore, because the Adenauer Government stood committed to European integration in general, and because unification had widespread popular appeal, it became mandatory for the SPD's strategists to map out an election campaign on the basis of "unification versus integration," or "negotiation [with the Russians] before rearmament." Stalin's death, the Berlin riots of June 17, 1953, and the intra-party struggles in the Soviet Union strengthened the belief of some SPD leaders that the time for negotiation and unification had actually arrived.

The attack on the European Defense Treaty had begun in earnest in January, 1952. At that time, the SPD had raised the issue of constitutionality and had caused the Bundestag to request an opinion from the Federal Constitutional Court. The question was whether any federal legislation regulating the participation of Germans in a European armed force would be compatible with the Basic Law.[63] This maneuver served to delay ratification of the treaty.

The detailed argumentation against rearmament in general, and against the principle of European military integration in particular, ranged over a wide field. The principal argument, of course, was that the EDC militated against unification: "an armed and integrated West Germany would cause the Soviets to keep at least the East of Germany out of this system."[64] The "policy of strength" pursued by the Adenauer Government—and by the Western Allies—had to give way to a kind of collective security that spelled security for the Soviet Union as well as for the West.[65] The EDC did not guarantee Germany's security in view of unsettled political conditions in Western Europe (e.g., France and Italy). Instead, it raised the somber prospect of an application of scorched-earth tactics to the German area in the event of an Allied withdrawal.[66] Addressing himself to the military security aspects of the proposed defense system, Fritz Erler wondered about "the direction in which Italian and French tanks with their communist crews will shoot when Russia attempts to move."[67] Furthermore, as long as Germany did not enjoy unrestricted sovereignty, matters of defense were the responsibility of the Allies. More to the point was the argument that the dual arrangement, whereby Germany was to become part of a European defense force but not of NATO, would result in the reduction of German military contingents to the status of "foreign legionnaires."[68] It was also argued that because "democracy means decision on vital national questions by the people," any attempt to deprive the people of such rights constituted a threat to democracy. To leave decisions on questions of vital national interests to a "foreigner" (i.e., to the Supreme Commander of NATO) was "anti-democratic."[69] Thus, the internationalism inherent in the projected European Defense Community was held by the SPD to be incompatible with the requirements of popular sovereignty.[70]

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[62] *Bundestag*, 222 Session, p. 9902.

[63] *Bundestag*, 190 Session, p. 8115 (Feb. 7, 1952).

[64] *Die Europapolitik der SPD* (cited in note 52), p. 16.

[65] *Handbuch sozialdemokratischer Politik*, p. 115; also Ollenhauer, *New York Times*, Aug. 13, 1953.

[66] Ollenhauer, *Frankfurter Rundschau*, Aug. 24, 1953.

[67] *Hersfelder Nachrichten*, Aug. 29, 1953.

There was evidence of some confusion or lack of agreement among the leadership on questions of campaign strategy concerning the exploitation of the armament issue. While party chairman Erich Ollenhauer charged that German rearmament was primarily a device to bolster anti-democratic forces in the Bonn Republic,[71] other speakers protested that the SPD was not, in principle, opposed to rearmament and was, in fact, not opposed to entering NATO if Germany was offered admission.[72] However, the principal controversy within party ranks appeared to be on the subject of "neutralism." There seemed to be a conflict between the radical, anti-American, neutralist elements on the one hand, and the more moderate, pro-Western forces on the other. Much of the party literature on the subject points to a reluctance to promote German neutralism to the point of national self-destruction. The majority of the leaders seem to be too realistic to believe that the foreign policy of Switzerland can be applied successfully to German conditions.[73] On the other hand, some leaders have taken the position that nothing, absolutely nothing, should be done to prejudice negotiations with Russia on unification. This includes a refusal by Germany to allow herself to be committed to one or the other camp.[74] The resulting dichotomy caused the party some embarrassment at the height of the election campaign.

On August 28, at a much-debated press conference, Fritz Erler stated that the formation of an all-German government was a matter of great urgency.

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[68] *Bundestag*, 190 Session, pp. 8110 ff., 8185 ff.

[69] Erler, *Soll Deutschland Rüsten?* (cited in note 8), p. 32; see also *Vor Entscheidungen für Jahrzehnte* (cited in note 60), p. 16.

[70] Erler, pp. 36 ff. The vote on a resolution favoring a German defense contribution was 204 for and 156 against. The latter group included the SPD, the Communists, the Federalist Union, and Independents. *Bundestag*, 190 Session, p. 8248. During the election campaign, Ministerpresident Zinn of Hesse went so far as to suggest that a future German government should commit all current treaties to the wastepaper basket and proclaim Germany's independence immediately. *Hessischer Presse-Dienst*, June 6, 1953.

[71] *Protokoll, Wahlkongress* (1953), p. 24.

[72] E.g., Dr. Fritz Baader, *Deutschland Union Dienst* (Bonn), July 27, 1953.

[73] *Aktions-Programm der SPD* (Dortmund, 1952), p. 12; see Schumacher, *Macht Europa Stark* (cited in note 38), pp. 28–29; and Ollenhauer, *Protokoll, Parteitag* (1952), p. 38.

[74] See Schmid, *Die Aussenpolitik der SPD* (cited in note 41), p. 19; and Ollenhauer, *Bundestag*, 204 Session, p. 8765 (April 3–4, 1952).

This, of course, was nothing new and all parties were in agreement on that point. Speaking for the neutralist segment of the party leadership. Erler, however, added that such a government should be formed "even if [it] would not be given freedom of action concerning the conduct of its own international relations." He explained that an agreement with the Soviet Union could only come about if the latter had assurances about the direction in which an all-German government would move internationally. This would require a Four-Power agreement to the effect that Germany would not be allowed to join one or the other military bloc. This spelled a serious break in party solidarity and Ollenhauer hastened to offer a thinly veiled correction. Specifically referring to Erler's remarks, he noted that the SPD would reject any attempt to restrict the freedom of action of a future German government by the imposition of automatic strictures against treaty arrangements.[75]

Did the SPD leaders believe it possible to put the German issue on a siding while the fury of the Cold War spent itself elsewhere? Carlo Schmid seems to have been so inclined when he told the Second Congress of the Socialist International:

> Of course, we have no illusions about the Russians. But Four-Power agreement is not impossible. The Russians have certain interests within the sphere of world politics which it may be possible to satisfy, thereby compensating them for loss of influence elsewhere. But negotiations require patience, a tremendous amount of patience—just as the armistice negotiations at Panmunjom.[76]

If one matches this thesis with Schmid's evaluation of Germany's strategic position and bargaining power, one must conclude that some SPD leaders had at last arrived at a *Realpolitik* of their own.[77] The Soviet Union was to be compensated for a loss of influence in the Central European area by concessions elsewhere, presumably in such places as Korea or in the general sphere of diplomacy and armament.

The indecision governing the party's position on the question of neutralism extended to its attitude toward the United States. It was clear to the older and cooler heads among the leaders that violent outbursts of anti-Americanism would only assist the Soviet propaganda machine. There were, however, indications of intervention by Americans and the opportunity to derive electoral advantages from pointing this out to the German voters was not to be missed. The outcome of the tug of war between the "anti-imperialist," anti-American element, and the pro-Western traditionalists was a campaign of moderate hostility toward the United States.

While some campaign speakers sought to pin a "made in U.S.A." label on the Government's foreign policy, representing Adenauer variously as an American "hireling," "servant," or "spokesman," others merely criticized American intervention in German affairs. Ollenhauer himself, as the principal spokesman for the party's Executive Committee, complained that the party was forced to operate "under the pressure of American influence upon German public opinion."[78] Secretary of State Dulles' pre-election statement forecasting dire consequences for Germany if Adenauer was defeated was bitterly resented by many Social Democrats.[79] Yet a poster depicting President Eisenhower assisting a diminutive Chancellor to climb on a horse, and prepared for just such an exigency, was never released for general distribution.

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[75] *Frankfurter Allgemeine Zeitung*, Aug. 29, Sept. 1, and Sept. 4, 1953.

[76] *Socialist International Information*, Vol. 2, p. 13 (Nov. 22, 1952).

[77] See *Bundestag*, 204 Session, p. 8773.

Observations by party leaders after the defeat at the polls were more poignant. The Adenauer victory was attributed to popular acceptance of the Chancellor's strong personal ties to the United States and to a widespread desire among German voters to be associated with a stronger partner than had been the case in the two world wars.[80] While a spokesman for the SPD in Lower Saxony ascribed the Adenauer victory to a conspiracy among "high finance, big industry and the armaments interests backed by the American Government,"[81] a party paper in the Ruhr accused the voters of servility and an utter lack of political sophistication for having been fooled by the "Dulles-Intervention."[82]

The story of the SPD is the story of a party imbued with the will to attain the highest human ideals and to make Germany safe for social justice and democracy. But it is also the story of a party which, but for the brief period of Kurt Schumacher's leadership, failed to adjust itself to the requirements of political reality. Following the disaster of 1933, a brief attempt was made to overhaul the party and its organization and to substitute new, aggressive foreign policy concepts for the shopworn shibboleths of yore. An attitude seemed to emerge which fired the imagination of wide circles among the voting public.

However, the international situation produced forces that proved to be far more powerful than those at the disposal of an opposition party without the experience of government and operating under the handicap of a divided leadership. The East-West conflict created issues which transcended the doctrine-bound, frequently pedestrian ideological offerings of the SPD and threatened to grind the party down to the size of its sister party in neighboring France.

Under the pressures generated by the Cold War, both communists and anti-communists have made considerable progress towards the abolition of the traditional concepts of national sovereignty. In this setting, socialists in general are likely to take a third position because of certain basic differences which separate them from both major ideological camps. The French socialist leader, André Philip, put the situation thus:

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[78] *Protokoll, Wahlkongress* (1953), p. 26; see also *Berliner Montagsecho*, April 27, 1953; Ministerpresident Zinn, *Freiheit* (Mainz), May 8, 1953; and Ollenhauer, *Süddeutsche Zeitung*, Aug. 17, 1953.

[79] See *New York Times*, Sept. 4, 1953.

[80] *SPD Pressedienst* (Bonn), Sept. 7, 1953.

[81] *Neuer Vorwärts* (Hanover), Sept. 11, 1953.

[82] *Neue Ruhr-Zeitung* (Essen), Sept. 8, 1953.

> The difficulties confronting the socialist parties are real enough, and socialists in their different parties do not always react to their fundamental problems in the same way. It is true that international socialism is today undergoing a crisis in its doctrines in the sense that after having been for so long in the opposition, it has at last reached power within the national framework and has achieved deep-seated and large-scale social reforms.
>
> Now it so happens that the more it has achieved within this national framework, the more it finds itself cleaving to it at the very moment when the national framework has been outmoded by events.[83]

The SPD cannot fit itself into the framework of present Western European integration. The existing and projected functional agencies of European co-operation impress the German Socialists as being mere instruments of power politics, developed by reactionaries at home and abroad in order to set up an organizational bulwark against advancing socialism. While instances of Soviet aggressiveness in Europe tend to emphasize the Russian-Communist twin danger over matters of class warfare, a temporary easing of international tensions inevitably returns the party's attention to its own struggle with capitalism.

It was at such a point in history that the party experienced the Adenauer landslide. While it is true that it managed to hold its own in terms of its percentage of the total vote, it is also true that it failed to attract new votes from the other parties or from the substantial reservoir of new voters.[84]

Whatever the reasons for the relative defeat may have been—and neither West Germany's present prosperity nor Chancellor Adenauer's personal popularity can be ignored—it would seem that the party was not adequately prepared to fight an electoral campaign on foreign policy issues. It would appear that it lacked unified direction and competent policy guidance to enable it to assert itself against the two super-powers in the sphere of ideological combat: the communist and the free enterprise internationals. Attempting to present itself to the voters as being anti-communist but not entirely pro-Western, i.e., attempting to resist one ideological force without accepting the other, the SPD became the butt of both.

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[83] Consultative Assembly, *Reports*, 3 Session, pp. 246–47 (May 10, 1951).

[84] In 1949 the SPD polled 6,934,975 or 29.2% of all valid votes cast. In 1953 it polled 7,939,774 (second) votes or 28.8% of the total. Thus, although it registered an overall gain of 15% over 1949, its share of the total vote dropped by 0.4%. The party's representation in the *Bundestag* increased from 131 seats to 151. However, its share of the total membership dropped from 32.6% to 31.0%. Since there are only six parties represented in the second *Bundestag*, and because the four established coalition parties (CDU/CSU, FDP, DP, Center) have now been joined by the relative newcomer, the refugee party (GDB/BHE), the SPD faces an almost solid bloc of 69% on most legislative issues. The situation in the upper house, the *Bundesrat*, has also undergone a change to the detriment of the SPD. Whereas the party had a majority of seats in that body prior to the election, changes in the political composition of several state governments have resulted in the transfer of control of the *Bundesrat* to the Government side. Cf. *News From Germany*, Vol. 7 (Sept.-Oct., 1953), No. 9.

THE BRITISH COMMONWEALTH: A SYMPOSIUM

THE BRITISH COMMONWEALTH OF NATIONS

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I

The British Commonwealth of Nations is the oldest international organization of states in existence. Its uniqueness lies in its unbroken historical continuity, the loyalty of its members to each other, their solidarity on vital matters of common concern, the fluidity of their machinery for dealing with such matters, and their abhorrence of constitutional contracts within the family of the Commonwealth. These are its features so far as we can see them yet in the perspective of history. This article will discuss some of these features and advance an hypothesis for research on the nature of Commonwealth.[1]

Continuity, with change but without revolution, has been the British political formula for the Commonwealth. The evolution of the Commonwealth was one of the long-range consequences of the American Revolution. In a broad historical sense the Commonwealth is the *lesson* that Britain drew from that revolution. There have been other examples in history, such as Rome and Spain, of the expansion overseas of a people and of its concepts, language, traditions, and institutions. But only in the case of the Commonwealth has historical continuity been maintained without catastrophic change or revolution. It is true that revolution severed the main branch of the first British Empire. The cause of that revolution was the still unresolved deadlock between executive and legislature which had caused the revolt under Cromwell in the preceding century. The cause was removed by the new political invention of parliamentary or cabinet government. Thus a new nation of the Commonwealth could grow beside the United States. And such is the strength of common language, traditions and interests, that today there is no stronger line of union in the structure of world politics than that between the two halves of the English speaking world.

As happens often in human affairs the two parties in the common experience of the revolution emerged from it with quite different assumptions. Neither assumption was fully conscious; but each party relied on its own assumption as a basic element in its political thinking. The British assumption—slowly formed, but very clear when formed—was the inevitability of change: that there could be no continuity in relations with the colonies unless there was freedom, consultation, and association, and elasticity in any institutional arrangements. The American assumption was the inevitability of disruption. Thus from revolutionary days to the present time the first instinctive reaction in the United States to an important change in the Commonwealth has been almost always to ask: Is it breaking up?

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[1] Terminology is a real difficulty. "British" is used in different senses for both the United Kingdom and the Commonwealth. And "Commonwealth" itself, though a fine old Saxon word, is "untranslatable in any foreign language." L. S. Amery, *My Political Life*, 2 vols. (London, 1953), Vol. 2, Ch. 12. On "Members" and "Countries" of the Commonwealth, see Professor K. C. Wheare's article in this symposium.

If history has always answered "no" to this question, it was because the function of change has been to preserve continuity by releasing from restraint the forces making for unity. It was not easy for American observers to discern the strength of these forces in the family from which they had broken away. They were indeed under a sort of inner compulsion to belittle such forces and so were prone to see changes as "crises." Moreover, it has been change rather than continuity that has made the headlines in a world in which the ceaseless deluge of "news" tends to blur the more durable realities. Thus "*Plus ça change, plus ça reste la même chose,*" might well be taken as a guide for the next decade of Commonwealth studies.

Ça reste la même chose. So great and continuous have been the changes in these last decades that we are in danger of becoming absorbed in change and forgetting the continuity. Thus most of the public discussion on the Commonwealth, in the interwar years, and even to some extent since the last war, has been preoccupied with the more negative aspects of status. Public declarations and the literature on the Commonwealth have tended to concentrate on a single feature, the complete freedom and independence of its members and the absence of contractual bonds between them, so that a habit has been formed of interpretation in negative terms. Even Commonwealth Prime Ministers, after their periodical meetings, have tended to preface their public accounts of what happened with negatives. Thus after such a meeting several years ago the Canadian Prime Minister began by saying: "The Commonwealth is not a political unit. It is not an alliance. It has no common policies. . . . " Such negatives are often, as in this case, a preface to some very positive statements. In the older parts of the Commonwealth they may do little harm, since the positive aspects of the Commonwealth are well understood and, even though rarely discussed, are nevertheless the fundamental assumptions of the national life. But analysis in terms of negatives can be misleading in the newer parts of the Commonwealth and outside it. And it can be misleading to students in universities. The political scientist who is uncomfortable in the presence of imponderables finds it easy to list the things which the Commonwealth is not, but much more difficult to describe its real nature. He can note the lack of all the normal traditional forms of international organization—the absence of a covenant or charter, of internal treaties, of councils, assemblies, and secretariats. He may explain the constitutional theory of the Crown, the forms of legislation, and the nature of the Cabinet system—and yet leave the student with the feeling that the Commonwealth is little more than negatives, and that forms and symbols of unity like the Crown are not really matters of present substance but just picturesque relics of the past.

In politics it is never safe to dismiss doctrine, theory, and symbol with words like "mere." The student who does so in his approach to the Commonwealth will see only the surface waves and miss the deep political currents. Thus the extension throughout the Commonwealth of the British system of cabinet government had an important consequence; it helped to spread in all parts a sense of responsibility. The theory was and is that all government in the Commonwealth—save in India—is government by the Crown. Ministers are Ministers of the Crown. The Opposition is "Her Majesty's loyal Opposition," which is always schooling itself for the responsibility of office when its turn comes to carry on the Queen's Government. The Queen makes laws by and with the advise and consent of the legislators whom she has caused to be summoned to Parliament. The theory of unity has always been more than "mere" theory, no matter what subtle metaphysics we may sometimes hear about a multiplicity of Crowns and Queens.[2] The theory has carried with it, always and everywhere, concepts and symbols of unity; and through such ideas and symbols there is a constant flow of communications, of relations and feelings which generate political forces. In the Commonwealth the man in the street and the statesman have known this and have not been bothered by the fact that these forces cannot be easily measured. Mr. Churchill drew attention to them in 1939 in the months before the Second World War:

> Some foreigners mock at the British Empire because there are no parchment bonds or hard steel shackles which compel its united action. But there are other forces far more compulsive to which the whole fabric spontaneously responds. These deep tides are flowing now. They sweep away in their flow differences of class and party. They override the vast ocean spaces which separate the Dominions of the King.

The "deep tides" flowed with great force throughout the First World War. And between the wars most of the leaders of the Commonwealth knew that they still flowed deep down, little affected by any surface waves of disunity or contrary winds. In times of crisis such as war, or a great public ceremonial like the coronation of Queen Elizabeth, they reach the surface and are visible in the actions, attitudes, and feelings of large bodies of men and women. In normal times the "deep tides" are less manifest. No doubt there are many signs of them (if we could make the right kind of analysis) in much of the action of everyday life. Their continued existence deep down in the basic assumptions of the people is signalled in the flow of communications, by the use of words, ideas and symbols. More will be said on these matters in the final sections of this article.

Ça change. Yet there has never been anything static about the Commonwealth in the past, and the process of change was never more marked than today with the opening of the door to new Members in Asia and Africa. The

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[2] In December, 1952, Australia, Canada, and New Zealand agreed on a formula expressly designed to preserve the historical and legal unity of the Crown: "Elizabeth . . . *of the United Kingdom*. . . . Australia, (Canada) (New Zealand). . . . Queen. . . . " (Italics added.) Mr. Menzies, who pressed this point strongly, has revealed the reason. No part of the Commonwealth save the United Kingdom has an Act of Succession. "Legally the Queen is Queen of Australia because she is Queen of the United Kingdom." R. G. Menzies, *Many Nations: One Crown.* Daily Telegraph, June 1, 1953. On the titles, see Professor Wheare's article in this symposium.

Commonwealth bridge between Asia and the West is of great importance to the free world. But it introduces into the Commonwealth a new element—that of deep cultural differences.

The older Commonwealth that has stood the test of two world wars has a common culture and social heritage. It is European, mainly British, in its cultural background. Only along two lines of cultural difference—French and British in Canada, Dutch and British in South Africa—has the Commonwealth in the past shown any sign of structural weakness.[3] These at most are minor cultural differences within the larger cultural unity of the Western World.[4] In the older Commonwealth (though it continues to prefer for itself informality to contractual arrangements) unity is strengthened by the drawing together of Europe and North America, as shown in the development of NATO and steps towards European Union. The new Asian members of the Commonwealth, with a very different social heritage, are as yet little affected by the unifying forces at work in the West. Whether they will come closer to or tend to pull away from the older Commonwealth cannot be foreseen. Signs of divergent tendencies are not lacking. One sign is the elimination of the Crown from the government of India. Another sign is the divergent trends shown in India's foreign policy. The fact that, unlike any other members of the Commonwealth, India and Pakistan have direct land connections with Communist Asia, seems in the long run more likely to strengthen than weaken their ties with the Commonwealth. And here the determining factor might well be the rapid transformation of China into a great military power, poised on their northern frontiers.

In one sense the enlargement of the Commonwealth in Asia carries on a process which began a hundred years earlier following the publication of Lord Durham's Report in 1839. But the circumstances are utterly different. India and Pakistan are ancient peoples, with a history and civilization older than Europe. The colonies overseas that received responsible government in the mid-nineteenth century were recent settlements of Europeans, who had carried overseas the culture, traditions, and sentiments of their homelands. They were new and plastic communities which were as yet only in the beginnings of their separate histories. Responsible government in the colonies was profoundly influenced by these circumstances. It meant much more than the constitutional expedient whereby the local executives in the areas of Canada, Australia, New Zealand, and later South Africa were made responsible to the local legislatures. It liberated forces that made for unity rather than dissent. In 1861 Merivale,

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[3] How extreme nationalism, rooted in history rather than in cultural differences, could impede the working of the Commonwealth system, has been shown by the case of Eire, which withdrew from the Commonwealth, after creating almost an unbridgeable gulf by official neutrality (not shared by scores of thousands of its citizens), in a war in which the existence of the Commonwealth was at stake. The historical feud with Britain died quickly amongst the Irishmen who by migrating to the Dominions were no longer (in Toynbee's phrase) "condemned by Fate to go on living upon fields sown with dragon's teeth and watered with blood."

[4] These are themes which Professor Brady has illuminated in his *Democracy in the Dominions* (Toronto, 1952) and his article in this symposium.

Permanent Undersecretary of State for Colonies, described the effect: "The cessation, as if by magic, of the old irritant sores. . . . Confidence and affection towards the 'home'." (As Britain was called by new and old settlers alike.) "*Loyalty*, becomes the common watchword of all. . . ."[5] The new sense of responsibility did not stop short at the boundaries of the local community; it began to spread outwards to cover the whole area of a colony's sentiments and interest, to embrace the entire family of the Commonwealth.

Once the sense of responsibility was created, and experience in its exercise acquired, no ultimate limit could be set to the powers of the overseas parts of the Commonwealth. On the eve of the First World War they had taken over responsibility for all local matters and for most aspects of external affairs—including trade, migration, and naval defense. Only the final issues of peace and war for all parts of His Majesty's dominions were still in the hands of the United Kingdom. The complete solidarity of the Commonwealth during the war, and the immense responsibilities undertaken by the Dominions regardless of sacrifice, made inevitable the extension of the principle of responsible government to foreign affairs. Thus responsible government, which began as responsibility for local affairs, ended as responsibility also for Commonwealth and foreign affairs. The century which marks the birth and coming of age of the British Commonwealth of Nations witnessed a bold new voyage of political exploration. It was undertaken by British and Dominion statesmen, who knew they could sail their ships together, and were confident they could discover new and wider realms of unity. The present voyage of political discovery towards the greater Commonwealth is undertaken with no less courage, but it is a voyage into the unknown. One of the unknown elements is whether the peculiar political system of the Commonwealth can work in this wider context.

That system began with the design and enactment of a second political invention—the Durham Report and Responsible Government. The system culminated in a third period of political invention which solved the problem of reconciling final equality with formal unity, by creating a Commonwealth bound by constitutional conventions and unwritten rules, but without formal constitutional contracts.

II

This third period can be said to have begun in 1917, culminated in the Report of the Imperial Conference of 1926, and come to an end roughly with the Statute of Westminster in 1931. The core of the problem was how to complete responsible government by extending it to the field of foreign affairs; in other words, how to make the Dominions completely equal in status—though of course not in stature—with the United Kingdom, without disrupting the Commonwealth. Full Dominion status, some people argued, was incompatible with Imperial or Commonwealth Unity. The formal dilemma was not new. It had appeared far back in the 19th century in the phrase "Federation or disintegration"; and the idea of Imperial Federation was argued forcefully before and during the war of 1914–1918. Neither Britain nor the Dominions wanted to have anything to do with either horn of the dilemma. Disruption was unthinkable. Federation meant replacing the informality of the family relations of the Commonwealth by an elaborate constitutional structure. A written constitution was abhorrent to the English constitutional tradition. Even the lesser contract of a traditional alliance was ruled out as quite unsuitable to the special nature of the Commonwealth.

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[5] *Lectures on Colonization and Colonies*, 1861 ed., Vol. 2, p. 641.

The matter was discussed in the Imperial Conference of 1917. It was agreed that the problem was "too important and intricate" to be settled during the war and that a special Constitutional Conference should be devoted to it after the war. The resolution provided for both autonomy and unity. The Dominions were to be fully "autonomous nations" with the "right to an adequate voice in foreign policy and in foreign relations." But they were to be "autonomous nations of an Imperial Commonwealth" and that Commonwealth was to have "effective arrangements for continuous consultation in all important matters of common Imperial concern, and for such necessary concerted action, founded on consultation, as the several Governments may determine."

Thus the resolution of 1917 merely set out the twofold objective of an "Imperial Commonwealth" composed of "autonomous nations," without suggesting how these two apparent opposites could be reconciled.[6] At the end of 1918 the Prime Ministers found themselves confronted with a need for immediate decisions and actions in the field of foreign affairs which would set the pattern of the postwar world for many years to come. Public opinion throughout the Commonwealth was insisting that the Dominions should be equal partners in the peacemaking, as they had been equal partners in the war. Without waiting for any constitutional conference the Governments proceeded, in typical British fashion, to make a series of *ad hoc* decisions which secured for the Dominions, not only representation at the Peace Conference, but also equal participation in the signing and ratification of the Peace Treaties, and membership in the League of Nations.

Once more resort was had to the Crown, and its reserve of powers, unfettered by statute law, on which responsible government had drawn so freely in the past. In the field of foreign affairs executive action is based on the old common law prerogative of the Crown, and thus constitutional conventions could have free play. A new doctrine was enunciated by the Dominion Prime Ministers in a memorandum circulated by Sir Robert Borden to the British Empire Delegation in Paris: "The Crown is the supreme executive in the United Kingdom and in all the Dominions, but it acts on the advice of different Ministries within different constitutional units." In accordance with this doctrine the King, acting constitutionally on the advice of his Dominion Ministers, appointed Dominion plenipotentiaries to the Peace Conferences and for the signing of the treaties, and likewise ratified the treaties on Dominion advice.

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[6] A massive demonstration of how the opposites could be reconciled in action, if not in theory, was given by the Prime Ministers during the next two years in the more or less continuous sessions of the Imperial War Cabinet, and the British Empire Delegation in Paris.

In the parliamentary debates preceding ratification, the Canadian and South African Governments were pressed by the opposition for explanations. They were asked to explain the constitutional basis on which they had proceeded and to justify their claim that the Dominions had achieved a new status of "absolute equality" with other nations. The opposition in each case took the line that in fact nothing had changed, since in law the Dominions were still dependencies. In their replies the Governments relied upon a distinction, to which Sir Robert Borden had drawn attention in 1917, between "legal authority and constitutional right." New conventions of the constitution, they argued, had made it no longer constitutional for the King to act for the Dominions, or for the United Kingdom Parliament to legislate for them, without their advice and consent.

But the argument did not satisfy the opposition in South Africa and Canada. Australia and New Zealand were quite satisfied with their status, and public opinion was suspicious of constitutional change which might weaken the unity of the Empire. This feeling was also shared widely in Canada. But on one thing all parties in all parts of the Commonwealth were in agreement—their dislike and distrust of anything like a written constitution for the Commonwealth. This was a sound political instinct, with a great deal of history behind it—not only the history of the British constitution, but also the history of the Commonwealth. For the Commonwealth owed its existence to the wisdom of the Colonial Office and the Parliament at Westminster in resisting steadily all proposals to set out in any act of Parliament a division between Imperial and local powers of government. The same instinct prevented the holding of a Constitutional Conference as proposed in the Resolution of 1917. It also led the British Government to defeat the Irish attempt in 1921 to insert in the Anglo-Irish Agreement a definition of Dominion status. And when finally in 1926 the Imperial Conference declared the constitutional conventions on which the Commonwealth was based, it prefaced its Report by saying it was "of the opinion that nothing would be gained by attempting to lay down a Constitution for the British Empire."[7] Even the degree of definition which that Report gave was regarded by more than one Commonwealth statesman as "a misguided attempt . . . to reduce to written terms something which was a matter of the spirit and not of the letter."[8]

Already in 1920, however, it was clear that the solution could be neither a statute, nor a constitution, nor a written agreement. It had to be something in the nature of a declaration of constitutional right, drawn from the past history of the Commonwealth and projected into the future. It was these considerations which led to the proposals in my study *The British Commonwealth*

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[7] The Prime Minister of Australia (Mr. Bruce), speaking at the opening of the Conference, said: "It would be disastrous to attempt to lay down something in the nature of a written constitution that is going to govern us in the future. It is quite impossible for an Empire progressing continually, as we are, to have such a document. If we had had it in the past, either it would have been torn up or it would have destroyed the Empire." (Cmd. 2769, 1927.)

[8] Mr. Menzies in the Australian Commonwealth Parliament in 1937.

of Nations, published in the autumn of 1920. The book proposed that the old distinction between legal power and constitutional right should now be carried to its logical conclusion. The formal unity of the Commonwealth depended on the legal authority of the Imperial Crown and Parliament in all parts of the Commonwealth. The practical exercise of these legal powers had been restricted —fenced in, as it were, without being destroyed—by particular declarations of constitutional right which had marked each of the main stages in the growth of responsible government. What was needed to complete the process was to round off these particular declarations by a "general declaration of constitutional right" covering the whole field of government—executive, legislative, and judicial.

Such a declaration, backed by the authority of a Constitutional Conference, and with a minimum change in the law, would place the Dominions on a footing of complete constitutional equality with the United Kingdom. At the same time it would leave intact the two great instruments by which out of a single state a Commonwealth of Nations had been created. Both instruments now served and would continue to serve as symbols of its unity; one, the Crown, was the historical source, in constitutional theory and law, of the authority of all the Governments of the Commonwealth; the other, the Parliament at Westminster, was the source of their Parliaments with all their procedures and traditions.

This proposal for a "general declaration of constitutional right" was taken up and endorsed by General Smuts in a long memorandum entitled "The Constitution of the British Commonwealth," written and privately circulated in the spring of 1921.[9] It was designed to serve as a blueprint of the Commonwealth, as his famous memorandum of December, 1918 had served as the blueprint for the League of Nations. A "fundamental alteration" had taken place recently in the basis of the British Empire, and a new name should mark this "epoch making departure." He therefore suggested "a new name for our group, such as the British Commonwealth of Nations."[10] His study anticipated not only the principles, but also most of the important detail, of the later constitutional developments, from the declaration of the Imperial Conference of 1926 to the Statute of Westminster. Delay in the settlement of Dominion status, General Smuts urged, was "fraught with grave dangers," including the danger of separatist movements in the Commonwealth. Constitutionally the Dominion Parliaments had complete legislative authority, as their governments had complete executive authority; and Dominion status had received international recognition. But there was as yet no settled practice, and there was still a good deal of obscurity about the whole position:

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[9] The memorandum was referred to in speeches by General Hertzog and General Smuts in the South African Parliament on March 16, 1927 (*Cape Times*, March 17); see Lowell and Hall, *The British Commonwealth of Nations* (Boston, 1927), pp. 614–15; C. N. Van den Heever, *General J. B. M. Hertzog* (Johannesburg, 1946), pp. 208–21, and N. Mansergh, *Survey of British Commonwealth Affairs, 1931–1939* (London, 1952), pp. 10–15.

[10] The "new name" was first used officially in December, 1921 in article 3 of the Anglo-Irish Agreement. Official endorsement by the Commonwealth as a whole dates from the 1926 Imperial Conference.

> Foreigners find it difficult to understand the unwritten British Constitution, in which precedents mould and expand the constitution, and the legal aspect is nothing and the constitutional aspect everything. . . . Other people find it difficult to grasp the difference between legal theory and constitutional practice in the Empire and to see how the law of the constitution is moulded and finally abrogated by the practice of the constitution, and how, without a change of the law, a British Colony becomes in constitutional fact an independent state. These abstruse matters might be cleared up in some formal way which would show the true nature of the Dominion status as distinct from legal archaisms. It has been suggested by Mr. Duncan Hall in his interesting book on the British Commonwealth of Nations, that a declaration of constitutional rights should be made which would explain the new developments in the Dominion status, remove obscurities, set at rest doubts and abrogate what is obsolete—a declaration, in fact, which would become a precedent and a most important amendment of the unwritten law of the constitution. Such a declaration would set out that, as a matter of constitutional right, the British Parliament has no legislative power in respect of the Dominions; that the King has no more constitutional right of vetoing Dominion Bills than he has in respect of British Bills; and that the King in his Dominion Government has in respect of foreign affairs affecting the Dominions the same constitutional right that he has as King in his British Government in respect of the United Kingdom. Other points might also be covered by such a declaration, which would definitely settle the new constitutional basis on which the Commonwealth rests and explain that basis to all the world. I heartily endorse Hall's suggestion which seems to me the easiest constitutional means of settling the international status of the Dominions, without changing the unwritten flexible character of the constitution of the British Commonwealth. If the suggestion is adopted, the declaration could be drafted by the Imperial Cabinet, considered and passed by the Imperial Conference and by them presented to the King in a formal address for his acceptance.

General Smuts then set out in detail the necessary changes in the constitutional conventions, in the law, and in the machinery of the Commonwealth. A resolution which the forthcoming Imperial Conference could put before the Constitutional Conference should cover, he suggested:

> the practical recognition of the equality of statehood of the Dominions with the United Kingdom, and the methods of conference and consultation to be adopted in future in respect of common policies and concerns of the Commonwealth.

The resolution would provide, *inter alia:*

> that legislation of the British Parliament be passed (a) giving power of amendment in respect of their constitutions to the Dominions, (b) extending their legislative jurisdiction beyond their territorial limits, and (c) abrogating the Colonial Laws Validity Act in its application to future Dominion legislation. The resolution should further provide that a Declaration of Rights be printed by the Constitutional Conference for the acceptance of the King, providing (a) that the British Parliament has no constitutional right of legislation in respect of the Dominions, (b) that the Royal veto is in the same constitutional position in the Dominions as in the United Kingdom, (c) that the Dominions have direct access to the Sovereign without the intervention of any British Secretary of State, and (d) that the international rights of diplomatic representation of the Dominions is unquestioned.

Other important proposals included a change in the position of the Governor General. He would become "simply and solely a Viceroy, representative of the Sovereign," and would no longer correspond with a British Secretary of State.

On the side of machinery General Smuts thought the Commonwealth needed "three organs of conference and consultation": (1) a "quadrennial Commonwealth Congress" attended by representatives of parliamentary oppositions as well as by Ministers and holding its meetings in rotation round the Commonwealth; (2) a "biennial Prime Ministers Conference," and (3) a "continuous Dominions Committee," to carry on between the Prime Ministers' meetings, aided by a Commonwealth Secretariat.

This memorandum, prepared in anticipation of the Imperial Conference of June, 1921, was not published. The idea of a declaration of constitutional right was discussed at the conference. But the opening speeches (which were published), had made it clear from the outset that the proposal of 1917 for a constitutional conference had run foul of the fear of a written constitution. The British and Australian Prime Ministers opposed a special conference, and it was decided that "having regard to the constitutional developments since 1917, no advantage is to be gained by holding a constitutional conference."[11] By 1925, however, the attitude of the British Government had changed. The new Secretary of State for Dominion Affairs, Mr. L. S. Amery, was convinced that fruitful cooperation depended on getting rid of "every last vestige" of inequality, and that the next ordinary Imperial Conference was the proper body to deal with these matters. "It was to this end that the preparatory work of the Dominions Office was for many months directed."[12]

General Hertzog, who succeeded General Smuts as Prime Minister' studied the Smuts memorandum in 1926, and, his biographer says, was "struck with the similarity of the views there expressed to his own." In speeches and letters before the meeting of the Imperial Conference of 1926, he pressed for a declaration of the constitutional rights of the Dominions, which (as he put it in a letter to Mr. Amery) would clear up "the fundamental facts of the Dominions' independent status and make those known to the world." When the Conference opened he presented a long draft declaration round which the discussions of the Inter-Imperial Relations Committee revolved.[13] After much exchange of drafts and counterdrafts, and discussions between the Prime Ministers and the other members of the Committee, the text of the Declaration emerged in the published Report of the Committee with the single, famous sentence in italics defining the "position" and "relation" of Great Britain and the Dominions:

> Their position and mutual relations may readily be defined. *They are autonomous Communities within the British Empire, equal in status, in no way subordinate one to another in*

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[11] Cmd. 1474, 1921.

[12] L. S. Amery, *Thoughts on the Constitution*, 2nd ed. (London, 1953), p. 128.

[13] See Van den Heever, *op. cit.*, who gives texts of the drafts. His account (followed by Mansergh) places all the emphasis on Hertzog's role and none on the most important part played by the Dominions Office. For an authoritative account of the 1926 Conference, see Amery, *My Political Life* (cited in note 1), Vol. 2, Ch. 12. Mr. Amery (to whom I am indebted for an advance copy of his chapter and for valuable comments on the present article) reveals that the italics used in the Declaration of 1926 were due to a typographical slip; they caused the sentence to be quoted frequently out of context, thus overemphasizing the negative aspects of the Declaration. Speeches in 1926 referring to the "declaration of constitutional right" include: Hertzog, *Cape Times*, May 17, December 8, 14; *Rand Daily Mail*, December 21; and Smuts, in Union Parliament, May 29.

any aspect of their domestic or external affairs, though united by a common allegiance to the Crown, and freely associated as members of the British Commonwealth of Nations.[14]

This sentence was true of the Commonwealth in 1926 and still is today. One of the states that agreed to it (now the Republic of Ireland) is no longer a member of the Commonwealth. Another, after a further constitutional evolution, emerged as two new members of the Commonwealth, India and Pakistan. For India, and soon perhaps Pakistan, the phrase "common allegiance to the the Crown" should read "the common symbol of the Crown." A complete historical commentary on the Declaration would take in the constitutional history of the Commonwealth that led up to it, and the steps that implemented it in the subsequent years. It would deal with the statutes,[15] the voluminous reports of expert committees and conferences, the thousands of unpublished dispatches and telegrams exchanged by the governments, together with a mass of records of negotiations, understandings, and agreed procedures.

This history cannot yet be written. But when it is written—in a later period and climate—there will be, I venture to suggest, much change in perspectives and in our contemporary judgments. The role of some of the leaders and the countries they led will look different. Canada, under the leadership of Mr. Mackenzie King, will appear from the records to have been less interested in the twenties and thirties in constitutional issues and matters of status, and much more concerned about the positive sides of the Commonwealth than may have seemed at the time.[16] The voice and counsel of New Zealand, often dismissed at the time as a mere immature echo of Britain, may seem to have been more mature and wise, more consistently realistic and constructive in its attitude to the Commonwealth and its place in world affairs, than that of any other Dominion. Under General Hertzog South Africa, on whose soil fate had sown some dragon's teeth, will be judged to have been even more preoccupied with and legalistic about questions of status, but at the same time much more helpful and cooperative towards its fellow Commonwealth members, than it seemed to contemporaries. As for Eire in this period, the full extent of her cold passion to be free of England, at no matter what cost to the Commonwealth, will be revealed.

But perhaps the greatest revaluation will come from the massive evidence showing that the active builder of the mature Commonwealth was more Britain than the Dominions. For the evidence will demonstrate the use made by all the members of her great political experience, her vision and faith in the Commonwealth idea; it will show her great and ceaseless activity in playing the role of coordinating element—consulting with her fellow members, ascertaining their views, informing them of hers, negotiating, conciliating, maintaining with them over the years a vast system of communications with scores of thousands of dispatches and telegrams. And, in a natural shifting and maturing of values, the history of status will shrink back into a shorter chapter making room for the more positive aspects—association, cooperation, things done together, solidarity in time of trouble.

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[14] Cmd. 2768.

[15] Above all the Statute of Westminster on which Professor Wheare's *Statute of Westminster and Dominion Status*, 5th ed. (London, 1953) is the authoritative study.

[16] E.g., in the thirties. In 1926 the Canadian Prime Minister did not come to the Conference prepared to raise the issue of status. See Canadian Parliamentary Debates, March 29, 1927, p. 1742, and Amery's chapter (cited in note 1).

III

Having stated the negations, the things that the Commonwealth is not, the Prime Ministers in 1926 hastened to add that this was only part of the truth. About the rest of the truth, however, they had little to say, except that:

> The British Empire is not founded upon negations. It depends essentially, if not formally, on positive ideals. Free institutions are its life blood. Free cooperation is its instrument. . . .

The last words turned back to the phrase in the Declaration: "freely associated," to which General Hertzog had clung all through the negotiations as the essence of the Commonwealth. In fact, all the essential phrases except one were qualified by the word "free" or "freely." The one exception was the phrase about the Crown, where there was unity without qualification. For the rest the changes are rung on freedom: freedom from a written constitution; freedom in association and cooperation; freedom from formal machinery, procedures, institutions; freedom from treaties or alliances; freedom from written guarantees of mutual assistance. The words of the Commonwealth's own leaders seem thus to justify at first sight the observation of the constitutionalist who searches this constellation in vain for the normal and familiar signs of structure. He reports a seeming void, with no lines of structure visible between the members; though he notes that the individual members of the constellation have far-reaching written contracts with other nations—all save one of them with the United Nations, Britain and Canada with NATO, Australia and New Zealand with the United States in ANZUS.

Yet structure there is, and much of it. Although it is unusually informal and fluid, it is definite enough to require the 400 pages of concise and authoritative description which it has received in a recent book.[17] And that book still left chapters unwritten. Perhaps they cannot be written, since fluid institutions and processes, like those of the Commonwealth, do not leave much in the way of fossilized remains for the student of their history. One of the difficulties is that the Commonwealth does not transact its business in the glare of publicity which marks the United Nations or American government. Its business goes on in closed conferences of Prime Ministers, heads of departments, parliamentary meetings, in endless committees and "working parties," in continuous streams of dispatches and telegrams from which leakages are very rare. About this large-scale internal system of communications by dispatches, telegrams, and circulation of confidential working papers, minutes, and reports, the student can find little information. He might note the statement of the Dominions Secretary in the House of Commons after the Munich crisis in 1938, that in the first ten months of 1938 no less than 398 circular telegrams had been sent to the Dominions on foreign affairs, some 150 of them in the month of September alone. But the statement gives him no information about telegrams that were not circular or about dispatches. It says nothing of the volume of incoming telegrams and dispatches from the Dominions; and it is silent about the numbers of telegrams circulating in many *other* series, such as defense, treaty relations, constitutional relations, economic and financial questions. Nor is much information available about the constant, but little advertised, circulation of key personnel within the Commonwealth, the movement of Ministers, officials, members of Parliament, and officers of the armed forces. Most of the key people know each other, meet not infrequently, are in constant touch with opposite numbers, and are accustomed to team work.

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[17] Heather J. Harvey, *Consultation and Cooperation in the Commonwealth* (London, 1953).

Even a family cannot conduct its affairs without some rules. The Commonwealth has such rules, even if most of them are unwritten. Something is done, or is not done; it is not cricket. A few basic rules have been recorded in resolutions of conferences of Prime Ministers. And the rules in some cases have been circulated to the governments and ratified by them, for example, in matters concerning relations with other countries, and especially the negotiation, signature, and ratification of treaties. The basic rule in foreign relations is that the governments must keep each other informed. No agreements should be negotiated with a foreign government without consideration of their possible effect on other members of the Commonwealth or on the Commonwealth as a whole. A government should inform the other members well in advance of any such negotiations, so that if any one of them considers that its interests are affected, there is time for it to express its views or, if need be, to join in the negotiations. Where several governments are taking part in negotiations at the same time, there should be the fullest possible exchange of views before and during the negotiations. One member must not involve another in any active obligations without first obtaining its assent.[18] Such rules are simple enough, but a study of their application, of the glosses on them, of treaty procedure as it has actually developed, of the "case law" that has grown up over the years, would fill a substantial volume.

At the heart of the family system of the Commonwealth is a fundamental assumption of mutual aid in time of trouble. This is nothing written down in any charter, covenant, or treaty. It is what an Australian Prime Minister once called "an unwritten treaty of mutual guarantee."[19] Britain has stated on a number of occasions in the past that she would go to the aid of a member of the Commonwealth if attacked. Other members of the Commonwealth have acted on the same assumption of mutual aid, and have joined with Britain in a common front against an aggressor. It is part of the freedom of the Commonwealth that neutrality is possible; but it may be assumed that neutrality in a Commonwealth war is incompatible with continued membership in the Commonwealth. The members who joined in the war in 1939 had made no pledges and no secret agreements. But it was not for nothing that in the years before 1939, when the Dominions were establishing direct diplomatic arrangements with foreign countries, each such appointment was prefaced by a standard agreed notification to the foreign government concerned. The notification stated that the arrangement did not mean any departure from the principle of the "diplomatic unity" of the Commonwealth, "that is to say, the principle of consultative cooperation amongst all His Majesty's Representatives, as amongst His Majesty's Governments themselves, in matters of common concern." All the governments, before the war, had prepared in concert a "war book," setting out the steps required for coordinated action in case of war. Except in Dublin, the war books were all taken out and acted upon simultaneously in all the capitals of the Commonwealth, as the governments, one after another, made their separate decisions to fight.

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[18] Cmd. 2768, 1926 and cmd. 1987, 1923.

[19] Mr. Bruce in the Australian Parliament, August 3, 1926.

In all the parliaments, in September 1939, there was discussion. There was parliamentary unanimity in Great Britain, Australia, and New Zealand, and in Canada only a single adverse vote. In South Africa there was a decisive majority for what was, as General Smuts put it to Parliament, a decision of interest and ethics: "We should do the proper thing and align ourselves with our friends." There was again a high degree of parliamentary unanimity in the Commonwealth when it once more was faced with aggressive war in Korea in July, 1950.

In an article published in this REVIEW in 1942 (Vol. 36, pp. 1128–35) an account was given of "the Community of the Parliaments of the British Commonwealth," as it existed in that year. Since the war this unique community of parliamentarians has greatly expanded. A new description, "the Commonwealth of 100 Parliaments," will soon be justified. Already the total number of parliaments, including all those with an elected or unofficial majority, is close on 90. The number of parliaments which have branches of the Commonwealth Parliamentary Association is now over fifty and increases steadily year by year. In 1949 the parliaments gave their relationship a more definite form by setting up regular organs: the Commonwealth Parliamentary Council, meeting at least once a year, and a General Meeting which is convened during the biennial Commonwealth Parliamentary Conference. The organization has, *mirabile dictu,* a written constitution and a permanent secretariat. These bodies constitute the first pieces of regular machinery, jointly provided and jointly financed by the Commonwealth parliaments themselves, for regular consultations between them. This machinery has been in full operation since 1950. The regular Parliamentary Conferences, attended by upward of 100 delegates from some fifty parliaments, and the Council meetings attended by some 25 members, are held each time in another capital of the Commonwealth.[20] The meetings afford an opportunity for the parliamentarians of the Commonwealth to know their Commonwealth. In the meetings and the extensive visits in which the delegates live and travel together, they get to know, to respect, and usually to like each other. The meetings air differences in frank talk in private. They never end in resolutions or formulae. But out of all this comes a good deal of friendship and greater like-mindedness. In such meetings there is, as the writer can bear witness, a feeling of belonging together. At the last Commonwealth Parliamentary Conference in Ottawa in September, 1952, all the delegations, including those of India and Pakistan, spoke in terms of the "family of the Commonwealth." The use of the term "family" by parliamentarians of all the different countries and colonies of the greater Commonwealth began at the first full parliamentary conference held after the war in 1948. A scene witnessed then in the banqueting hall of Edinburgh Castle was that of a hundred Commonwealth parliamentarians with arms linked singing "Auld Lang Syne" to the sound of bagpipes, and closing with "God Save The King." The Commonwealth has never tried to set up a Commonwealth Parliament, as a year later at Strasbourg Europe was beginning to do. Its aim has been rather to create a community of parliamentarians.

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[20] Thus in form and substance the parliamentary machinery of the Commonwealth now goes beyond the "Commonwealth Congress" envisaged by General Smuts in 1921.

It was significant that the first great ceremony on the eve of the coronation of Queen Elizabeth, was the entertainment of the Queen, the new "Head of the Commonwealth" and "Head of the Family," at a luncheon given to her on May 27, 1953 in Westminster Hall by the representatives of over fifty Commonwealth parliaments, acting through the Commonwealth Parliamentary Council and Association. Six of the Prime Ministers were present. This, too, was a family gathering, in which that term was used frequently; and there was all the spirit, and the absence of formality, appropriate to such a gathering. To witness such an event is to be reminded how far-reaching are the symbols of unity in the Commonwealth. For government in each part of the Commonwealth save India is government of the Queen and Parliament; so that constitutionally the parliamentarians, including the Ministers of the Crown, who met in this gathering in the Hall of Rufus, were members of a body corporate. In theory the body corporate under the Crown includes the people. When the Prime Minister of Australia (Mr. Menzies) describes the Commonwealth in the phrase: "We are one people," he has in mind the wider body corporate formed by all those within the allegiance. And both bodies share the common symbol of the Crown and are united not only by common tradition but by identification with the symbol and the person of the sovereign—each of the Commonwealth communities within itself, and the Members of the Commonwealth to each other. Thus the Canadian Prime Minister greeted Mr. Churchill in Ottawa in January, 1952 with the words:

> The Crown is more than the symbol of our association in the British Commonwealth; it is also the symbol of unity in each of our nations. It is in the name of our common King that we discharge in both countries the responsibilities of government.

See discussion on an Imperial Assembly in Hall, *The British Commonwealth of Nations* (London, 1920), pp. 306–15.

Not many days later (February 7) on the death of the King and the accession of the new Queen, Mr. Churchill said:

> The Crown has become the mysterious link, indeed I may say the magic link, which unites our loosely bound but strongly interwoven Commonwealth of Nations, states and races.

IV

The Commonwealth is "strongly interwoven" by such intangibles that Sir Winston Churchill, who knows the uses and meanings of words, speaks of them as "mysterious" and "magic" and, in the passage cited above, as "deep tides." General Smuts, who also knew the meaning of words, spoke of the Commonwealth in the Union Parliament as not held together like empires in the past by law and sovereign authority: "Here is an entirely new condition—no central force, but psychology, which is more powerful, the soul of a group of nations."

Important material for a case study in the use of symbols in the Commonwealth is to be found in the Christmas broadcasts which were begun by King George V in 1932 and carried on by George VI and now by Queen Elizabeth. Such linking of all the Commonwealth peoples by radio occurs on other occasions, and the Queen has made a number of such broadcasts in recent years. In the ceremony of the Coronation the oath was a pledge made directly to the peoples, heard by them all and witnessed by many on television and in films. In the Christmas broadcasts the symbols of the Crown and of the family are closely interwoven.

The broadcast of King or Queen is prefaced always by the Christmas Journey in which the British Broadcasting Corporation conducts its listeners round the Commonwealth. In the Journey the audience travels from country to country, from one typical family to another, until in the words of the announcer it completes the circuit of the "family of the Commonwealth." For a whole hour link is added to link until the idea emerges clearly of the Commonwealth as a union of individual families. Then the Journey ends with the announcement of the "Head of the Family, Her Majesty the Queen." The King spoke, as the Queen now speaks, in the double role of Head of the Commonwealth and Head of the Royal Family. The Queen comes to each listening family as Head of the Commonwealth Family, and of her own personal family, which thus becomes the central and representative family of the Commonwealth. The Sovereign speaks always in terms of Christmas as the festival of the home: "From my home to yours," "to you in your homes." Thus the Commonwealth as a family of nations in the older sense is reinforced by the newer conception of the Commonwealth as a union of individual families gathered around the Queen. The symbols of Crown and family are not of course identical or of equal force in all parts of the Commonwealth. The symbols are joined together on such occasions in a natural response to the listeners who have joined them together consciously in their own minds. Eyewitness accounts of what happens on such occasions, in audiences large and small, all agree that those who share both the event and the symbols become visibly a more closely knit community. They are drawn together by the process of identification with the same objects and symbols.

"Symbol" as defined in the *Encyclopaedia Britannica*, "is the term given to a visible object representing to the mind the semblance of something which is not shown but realized by association with it." (The object need not be visible; it is enough if a word or emblem suggests an idea or an image to the mind.) What in the case of the Commonwealth is the "something which is not shown but realized by association"? It is a complex of memory, experience, and tradition drawn from the past of the peoples of the Commonwealth, which they carry forward in the present in their minds, suffused with emotion and sentiment. Statesmen have simpler words for it; as Burke: "My hold of the Colonies is in the close affection which grows from common names, from kindred blood, from similar privileges and equal protection. These are ties which, though light as air, are as strong as links of iron."[21] Or as Lord Balfour put it in words found on his desk after his death.

> Whence comes the cohesion of the Brit. Emp.?
> 1) Patriotism. Loyalty. Custom.
> 2) Religion. Race. Pride in various manifestations
> Habit. Language.
> *Mere* law is the weakest of all bonds.[22]

The political and institutional structure of the Commonwealth has been built, and continues to develop, round this living core of tradition and culture. The enlarged Commonwealth, if it is to endure, will have to add its ideas, traditions, and symbols to the common stock. A society which fails to preserve its historical core of tradition, or to adapt it to new circumstances, cannot long endure. For the older Commonwealth, which continues, with its cohesion little affected, within the larger Commonwealth, such master symbols as Crown and Family will retain their force. For an Asian Republic within the Commonwealth such a phrase as "Head of the Commonwealth" has less meaning. If one asks a well informed Indian what is the content of the phrase, he is likely to answer: "It means Nehru. The trusted leader says it is good, and therefore the people accept it." Symbols are never static; and they take hold only if they serve a purpose. If there is a persistent will to build up a larger Commonwealth, additional symbols will, indeed must, be found. For the elimination of the Crown as a constitutional link between certain Members and the rest of the Commonwealth—a step which once taken can never be retraced—is likely to prove in the long run a far more serious cause of disunity than has yet been realized.

General Smuts, in the memorandum cited above, suggested as part of his proposals that "some great symbol should mark the equal statehood of the Dominions and their entry among the nations of the world. This could best be done by their adoption of a distinctive national flag for each in addition to the Union Jack or other common symbol of imperial unity and allegiance." It is significant that a suggestion for a Commonwealth flag, as an additional Commonwealth symbol of unity, was made (in private conversation) by a leading Indian parliamentarian during the Commonwealth Parliamentary Conference at Ottawa last year.

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[21] Burke, Speech on Conciliation with America, 1775.

[22] *The Times* (London), Dec. 14, 1936. For a recent discussion of the significance of tradition see the symposium "Tradition in Culture and Politics," Part I, *Confluence*, Vol. 2, pp. 1–65 (Sept., 1953).

V

These reflections lead to a new conception which is put forward as possibly a useful clue for studies on the nature and meaning of the Commonwealth. It is put forward with some risk of misunderstanding—partly because it is too complex to be presented fully in a short article, without the necessary qualifications and explanations; and partly because within the Commonwealth it may seem merely to be a statement of the obvious, since it expresses unspoken assumptions. In Commonwealth countries with somewhat different assumptions, and in countries outside the Commonwealth, the conception may not at first carry conviction.

It may be prefaced by an historical comment. A political system like the United States consists of two essential elements, ideological and institutional. The institutional structure, the constitutional and governmental machinery, is controlled and regulated by the ideological element—the political ideas, doctrines, and beliefs of the people, their historical traditions, and the complex of political symbols, which are both channels of communication and bonds of union within the system. Political unity results from the constant flow, through these channels, of ideas and symbols, of communications both vertically between leaders and people, and horizontally amongst the people themselves.

The American Union began with a revolution which destroyed important common symbols. The union of the Commonwealth evolved without revolution. It kept its symbols intact. The central thread of its history is the process of broadening its common traditions and symbols, especially that of the Crown and the Family. Its history is that of an expanding unity. The emerging nations developed together their common heritage of political and legal ideas, institutions, procedures, and symbols. Thus great changes were possible in the constitutional structure without breach of essential unity of thought or purpose, or the weakening of common symbols.

The Commonwealth thus remained rich in common ideas and traditions, similar political institutions and procedures, and common symbols. It was able to reduce its legal structure on the constitutional side almost to the vanishing point; but on the other hand it was able to build up new common institutions or procedures of an extremely fluid kind which depend for their efficiency on the strength of its common ideas and its effective system of communications.

The United States substituted a massive political structure for the loose bonds that the Revolution destroyed. It replaced the Crown—which through the allegiance had provided the sole basis for any common citizenship amongst the 13 Colonies—by a Flag, a Constitution, and federal institutions. To these impersonal symbols the people, by a popular myth-making process, added a personal symbol—Uncle Sam.[23] For the new ideology and its symbols to become deeply rooted in the national traditions, a century was needed. One result of the whole process is that the United States has a stronger emphasis, in its governmental structure, on precise legal definitions and procedures than occurs in any other of the English-speaking countries.

The conception to which this historical comment serves as preface may be stated simply. The Commonwealth owes its historical continuity, its unity, and its successful functioning largely to the following facts: The governing elements of the British Commonwealth of Nations, the groups in each state which carry on the work of government—the Ministers of the Crown, the members of Parliament, the law officers, the members of the civil services and of the armed forces—are linked together in corporate fellowship by common ideas, traditions, feelings, ideals, and interests, and by the common symbols which both signify and cement their unity. The Crown in whose name (save in India) governments govern, parliaments legislate, officials and members of the armed forces act, and to which the individual renders allegiance, serves both as a master symbol of unity, and as a corporate link between the governments and peoples of the Commonwealth, and the vast community of individual British subjects or Commonwealth citizens.

If the study of this theme needed a text, it could well be the words of Burke, who as much as any was the spiritual father of the British Commonwealth:

> Do not dream that your letters of office, and your instructions and your suspending clauses are the things that hold together the great contexture of this mysterious whole. These things do not make your government. Dead instruments, passive tools as they are, it is the spirit of the communion that gives all their life and efficacy to them. All this, I know well enough, will sound wild and chimerical to those vulgar and mechanical politicians who think that nothing exists but what is gross and material. But to men truly initiated and rightly taught, these ruling and master principles, which in the opinion of such men as I have mentioned have no substantial existence, are in truth everything and all in all.

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[23] See Philip D. Jordan, *Uncle Sam of America* (St. Paul, 1953).

THE NATURE AND STRUCTURE OF THE COMMONWEALTH

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I

The structure of the British Commonwealth of Nations is peculiar. If it did not exist, you could not invent it. Its peculiarities reveal themselves at once if we try to find an answer to what looks like a fairly simple question, namely: How do we know whether a country is inside the Commonwealth or outside it? This question has never been very easy to answer. It is not enough to say that a country is within the Commonwealth if it is one of the Queen's dominions. That is quite true so far as it goes. It covers the cases of such important countries of the Commonwealth as the United Kingdom itself, Canada, Australia, New Zealand, South Africa, Pakistan, Ceylon, and the British West Indian Colonies. But it will not suffice to describe the position of such countries as Malaya, or Nigeria, or Uganda, or the Gold Coast, or Kenya, or Tanganyika. Large parts or all of the territories of these countries are not part of the Queen's dominions, strictly speaking. They are either protected states (as in Malaya) or protectorates (as in most of the African territories) or, as in the case of Tanganyika, Trust Territories under the United Nations. What we must say of these countries of the Commonwealth is not that they are part of the Queen's dominions but that they are under the Queen's protection or jurisdiction.

Until a few years ago it was possible to say of all the countries of the Commonwealth that they were either part of the King's dominions or under the protection and jurisdiction of the King. India consisted for the greater part of territory that was part of the King's dominions but it contained also an important part—the Indian Native States—whose territory was not part of the King's dominions but whose rulers were under the protection of the King. We can see, however, that the distinguishing mark of countries in the Commonwealth was some connection with the Crown; their government was carried on under the Crown, in the name of the King, within the jurisdiction of the King. To adopt the words of the Report of the Imperial Conference of 1926, the countries of the Commonwealth were all "united by a common allegiance to the Crown." There were a few border-line cases, like the New Hebrides, a condominium in which the King's jurisdiction was shared with another sovereign (in this case France), or Eire (after 1937), where government was not carried on in the King's name but where some place was still found for the King in the conduct of the country's external affairs. But though there might be doubts about cases, there was no doubt about the criterion. The test was the relationship to the Crown and where doubts arose, they were doubts about whether in a particular case the relationship existed.

Although this sort of answer worked quite well until a few years ago, it will suffice no longer. It is true that it still applies to all the countries of the Commonwealth except one, but since that one contains three times as many people as all the others put together it is plain that an answer which fails to take account of it, fails altogether. India is undoubtedly a country of the Commonwealth. India, equally without doubt, does not regard itself as a part of the Queen's dominions nor under the jurisdiction of the Crown;[1] it does not owe allegiance to the Crown, directly or indirectly; its government is not carried on in the name of the Queen. India, since January 26, 1951, when its present Constitution was proclaimed, has been a republic. By what sign now are we able to determine whether a country is inside the Commonwealth or outside it? Is there a common sign? Or are there different signs?

Let us pause for a moment to ask whether we are entitled to be asking this sort of question. Why should there be a sign or symbol? Is there any reason in logic or experience why countries which are linked together in a Commonwealth should exhibit some sign or symbol of the link? Why is it not enough for a country to say: "I am a country of the Commonwealth" and for the other countries of the Commonwealth to say: "Yes, you are"? Surely that is enough. You can belong to a club which has no badge, either because its members do not want a badge or because they cannot agree about the design. Or you can belong to a club which has a badge, but you may not choose to wear it. It is no necessary consequence of the Commonwealth that it should have a sign or signs. The association is distinct from any signs or symbols of the association. It seems necessary to assert these rather obvious points because it is often assumed that unless the Commonwealth exhibits some sign or symbol, some badge which all its countries wear, it cannot really be a Commonwealth; it must have disintegrated. There is no logic behind this assertion.

Having cleared this misconception away, it is proper to go on to say that in fact the countries of the Commonwealth have, up to now, chosen to exhibit a sign or symbol of their association, though they were not logically required to do so, and this sign or symbol is the Crown or, as some of them would prefer to say, the Queen. It is possible to say, therefore, that the criterion of whether a country is inside the Commonwealth or outside it is now whether it recognizes the Queen as the symbol of its association with the other countries in the Commonwealth, and, as such, the Head of the Commonwealth. And this sign distinguishes India no less than the other countries of the Commonwealth. But for India there is no question of the jurisdiction of the Queen; it is the Queen as a symbol only which India recognizes. The Queen or the Crown means in law and in practice a great deal more in the other countries of the Commonwealth than it does in India, but in all the countries it means at least this—the symbol of association.

The position becomes a little clearer when we recall the steps India took when it contemplated setting up a republican constitution. At a meeting of the Prime Ministers of the Commonwealth, held in London in April, 1949, India

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[1] Sir Ivor Jennings believes that the territories which were formerly part of British India still remain dominions of the Crown technically. See W. I. Jennings and C. M. Young, *Constitutional Laws of the Commonwealth* (Oxford, 1952), p. 148.

"informed the other governments of the Commonwealth of the intention of the Indian people that under the new Constitution which is about to be adopted, India shall become a sovereign independent Republic." To this statement of intention the government of India added an expression of a wish. It "declared and affirmed India's desire to continue her full membership of the Commonwealth of Nations." India wished, in spite of intending no longer to owe allegiance to the Crown or to be a part of the King's dominions, to continue to be a Commonwealth country. And then it took a further step, not logically necessary, as I have tried to argue, but not less important on that account. The government declared India's "acceptance of the King as the symbol of the free association of its [the Commonwealth's] independent member nations and, as such, the Head of the Commonwealth." So much for India's side of the arrangement. It wished to be a Commonwealth country still; it was prepared to have a symbol of its association and it was prepared to accept the King as that symbol.

On the other side, the other governments of the Commonwealth declared that they accepted and recognized "India's continuing membership in accordance with the terms of this declaration." At the same time they asserted that the basis of their own membership was not thereby changed. The Crown or the King might be no more than a symbol of association to India, but it continued to mean what it had always meant to the other countries. They remained part of the King's dominions or under the King's protection or jurisdiction as before. A study of the declaration of this Commonwealth Conference of 1949 illustrates clearly, I believe, the distinction between the association of the Commonwealth and the symbol of that association, though it illustrates also that, so far as India was concerned, there was to be a connection between the two in the person of the King as Head of the Commonwealth.

II

A word has crept into the exposition of the last three paragraphs which deserves some more explicit treatment and that is the word "Member." In the declaration of the Commonwealth Conference of 1949, reference was made to India's "full membership of the Commonwealth of Nations" and to the other independent "Members" of the Commonwealth. Now a Member of the Commonwealth is not the same thing as a country of the Commonwealth. In the current terminology of Commonwealth affairs, it is customary to speak of each distinct political unit in the Commonwealth as a country of the Commonwealth, and the term applies as much to the United Kingdom and India as to Australia, Canada, Pakistan, Jamaica, Malaya, or Nigeria. All told there are about 50 countries of the Commonwealth, each with its own government, usually under a governor or governor-general representing the Queen. It is only the fully-self-governing countries of the Commonwealth that are described as "Members" and there are eight of them—the United Kingdom of Great Britain and Northern Ireland, Canada, Australia, New Zealand, South Africa, India, Pakistan, and Ceylon. All the other countries of the Commonwealth fall short, in a greater or lesser degree, of full self-government, some like Southern Rhodesia, Jamaica, the Gold Coast, or Nigeria coming close to self-government, others like Bechuanaland or Somaliland being further away from autonomy. Most of the non-self-governing countries of the Commonwealth are dependent in some degree upon the United Kingdom, but some others depend upon other Members, as New Guinea does upon Australia, for example. It is agreed, however, that all are entitled to aspire towards self-government and independence, and that it is the essence of the Commonwealth to become some day an association in which it will be not only a Commonwealth of countries but a Commonwealth of Members in which no country is dependent upon any other country.

The eight Members of the Commonwealth stand, then, upon an equal footing with each other. They are sovereign, independent nations, or, to quote again from words used in the Declaration of the Imperial Conference of 1926, they are "in no way subordinate one to another in any aspect of their domestic or external affairs." The position of these self-governing countries in the Commonwealth is different from that of the others. They can be described again in the words of the Declaration of 1926 as "freely associated as members of the British Commonwealth of Nations." This means that, being self-governing, they are in a position to be self-determining, and they are free either to associate with or dissociate from the Commonwealth. What India did openly and deliberately in 1949 other members have done implicitly or explicitly upon their attainment of independence.

It does not follow from this that, because the self-governing Members of the Commonwealth are freely associated, the non-self-governing countries of the Commonwealth are held within it by force. It would, in fact, be rare to find in the dependent countries of the Commonwealth any strong body of political opinion aiming at leaving the Commonwealth. But there are strong movements for self-government and when self-government comes it brings with it the right to decide whether the country shall stay within the Commonwealth or not. That is the meaning of the free association of the Members of the Commonwealth.

It is in the light of this free association of the self-governing Members of the Commonwealth that the Queen as the symbol of their free association and, as such, the Head of the Commonwealth, must be considered. In this symbolic sense, the Queen or the Monarchy is an essential institution and the only essential institution of the Commonwealth as a whole. A country in the Commonwealth, then, displays this badge of its association, and by this mark you can tell that it is in the Commonwealth and not outside.

III

While it is absolutely valid to say of the Members of the Commonwealth that they are equal in status, each independent of the other, that they are freely associated and that they recognize the Queen as the symbol of this free association, and, as such, Head of the Commonwealth, it would be misleading to leave it at that. For in this unity there is a diversity, a variety, and an individuality which give meaning to the unity.

The diversity in unity can nowhere be better illustrated than in the matter of the Royal Style and Titles. It is apparent that if the Members of the Commonwealth agree that they will have a common symbol of their association and if that symbol is a monarch, it is a matter of common concern to them all who the monarch is to be and what that monarch is to be called. In other words, they are commonly concerned in the law touching the Succession to the Throne and the Royal Style and Titles. They recognized this many years ago and consequently at the Imperial Conference of 1930 they resolved that "inasmuch as the Crown is the symbol of the free association of the Members of the British Commonwealth of Nations, and as they are united by a common allegiance to the Crown, it would be in accord with the established constitutional position of all the Members of the Commonwealth in relation to one another that any alteration in the law touching the Succession to the Throne or the Royal Style and Titles shall hereafter require the assent as well of the parliaments of all the Dominions as of the parliament of the United Kingdom." This declaration was later approved by the parliaments of all the Members of the Commonwealth and it finds a place in the preamble to the Statute of Westminster, 1931. This declaration, however, is not a rule of law; it is a usage or convention of the Commonwealth which is accepted as binding in practice by all the Members. It has been followed on all the subsequent occasions upon which changes in the law of Succession and in the Royal Style and Titles were undertaken.

When the declaration was made in 1930 the Royal Title ran: "George V, by the grace of God, of Great Britain, Ireland and the British Dominions beyond the seas, King, Defender of the Faith, Emperor of India." It will be noticed that this title (which was proclaimed in this form in 1927) by its reference to "Ireland" avoided mention of the fact that Ireland was divided between the Irish Free State, at that time a Member of the Commonwealth, and Northern Ireland, which formed part of the United Kingdom of Great Britain and Northern Ireland. The title adopted a compromise on Ireland which did not please everybody.

The first change in this title was undertaken in 1948 when, as a result of the Indian Independence Act of 1947, India and Pakistan were set up as independent Members of the Commonwealth. But the grant of independence naturally made the title of "Emperor of India" rather out of date. It was decided consequently to remove this phrase from the Royal Titles. The parliaments of all the Members of the Commonwealth agreed that this should be done,[2] and it was accordingly carried out by proclamation on June 22, 1948.

When India decided to become a republic and when in 1949 the King's position as Head of the Commonwealth was explicitly recognized, it became clear that further changes in the Royal Title would be needed. The accession of Queen Elizabeth on February 6, 1952 brought the opportunity to consider the position. Already some Members, in proclaiming the Queen's accession, showed that they were ready for changes, but the variety in the forms which they adopted in their proclamations showed the diversity of the Commonwealth once more. In London the government of the United Kingdom described the Queen as "Elizabeth the Second, by the Grace of God, Queen of this Realm and of all Her other Realms and Territories, Head of the Commonwealth, Defender of the Faith." The phrase "Head of the Commonwealth" was used also in the proclamations issued in Australia, New Zealand, Pakistan and Ceylon. India issued no proclamation but the Prime Minister addressed a message to the Queen welcoming Her as "the new Head of the Commonwealth." In South Africa and Canada, the phrase "Head of the Commonwealth" was not used. Instead she was proclaimed "Elizabeth the Second, by the Grace of God, of Great Britain, Ireland and the British Dominions beyond the Seas, Queen, Defender of the Faith," and in addition there were added, in the case of Canada, the words "Supreme Liege Lady in and over Canada" and in the case of South Africa, "Sovereign in and over the Union of South Africa." It is interesting to observe that Canada and South Africa, both always in the forefront in asserting independence, should have adopted the old-fashioned formula while the United Kingdom and the other Members should have broken new ground. Strictly speaking, Canada and South Africa were acting correctly. They recited the Queen's title as it was established by law.

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[2] See statement of Mr. Attlee, the Prime Minister, in House of Commons *Debates*, Vol. 452, col. 2379.

The divergence in the form of the proclamations made it clear, however, that it was time to discuss the question of the title and the matter was accordingly taken up at a Commonwealth Conference in December, 1952, and a declaration was issued. It was agreed, in the words of the communique:

> "that the present Title is not in accord with current constitutional relations within the Commonwealth, and that there is need for a new form of title which will, in particular, reflect the special position of the Sovereign as Head of the Commonwealth. [The Governments] concluded, after full consideration, that in the present stage of development of the Commonwealth relationship, it would be in accord with the established constitutional position that each member country should use for its own purposes a form of title which suits its own particular circumstances but retains a substantial element which is common to all. They agreed that the various forms of the Title should, in addition to an appropriate territorial designation, have as their common element the description of the Sovereign as Queen of Her other Realms and Territories and Head of the Commonwealth."

As a result of this declaration, the parliaments of the Members of the Commonwealth[3] passed legislation to authorize a form of title for the Queen in respect of each of them and in due course proclamations were issued on May 29, 1953 in the capitals of the Members of the Commonwealth bringing the new titles into effect simultaneously in respect of the different Members. It is worth while to set them out in order so that the resemblances and the differences may stand out.

United Kingdom. Elizabeth the Second, by the Grace of God, of the United Kingdom of Great Britain and Northern Ireland, and of Her other Realms and Territories, Queen, Head of the Commonwealth, Defender of the Faith.

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[3] Except India (see below).

Canada. Elizabeth the Second, by the Grace of God, of the United Kingdom, Canada and Her other Realms and Territories, Queen, Head of the Commonwealth, Defender of the Faith.

Australia. Elizabeth the Second, by the Grace of God, of the United Kingdom, Australia and Her other Realms and Territories, Queen, Head of the Commonwealth, Defender of the Faith.

New Zealand. Elizabeth the Second, by the Grace of God, of the United Kingdom, New Zealand, and Her other Realms and Territories, Queen, Head of the Commonwealth, Defender of the Faith.

South Africa. Elizabeth the Second, Queen of South Africa and of Her other Realms and Territories, Head of the Commonwealth.

Pakistan. Elizabeth the Second, Queen of the United Kingdom and of Her other Realms and Territories, Head of the Commonwealth.

Ceylon. Elizabeth the Second, Queen of Ceylon and of Her other Realms and Territories, Head of the Commonwealth.

It is interesting to speculate upon the differences of principle and of sentiment that lie behind these differing titles. To start with, the Queen's title in respect of the United Kingdom has been amended to take account of the partition of Ireland, and there is a specific reference to Northern Ireland. It will be noticed that Canada, Australia, and New Zealand all wished to lay some stress upon the fact that their own Queen was also the Queen of the United Kingdom and they made specific reference to this fact in the titles they chose. In this way we may think they chose to stress their association in a *British* Commonwealth, which is, perhaps, of particular significance in the case of Canada, for a large proportion of its population is not of British stock, but of French stock. The same three members chose also to recite the Queen's title as "Defender of the Faith," following the United Kingdom in this matter. In South Africa—no less staunch in the Christian faith than these other Members—it was decided nonetheless to drop the title "Defender of the Faith." Nor does South Africa follow the United Kingdom, Canada, Australia, or New Zealand in using the phrase "by the Grace of God," preferring perhaps to think that the Queen holds her position by act of parliament. It was not surprising, of course, that in Moslem Pakistan and Buddhist Ceylon the title of Defender of the Faith should be omitted as inapplicable, and there too no use is made of the phrase "by the Grace of God."

It is significant, also, that in South Africa and Ceylon no reference was made explicitly to the United Kingdom in the titles adopted, though that country is included in the reference to "Her other Realms and Territories." The majority of South Africans are not of British stock, and the government of the Union has laid great stress upon the fact that the Queen is Queen of South Africa in a distinct and separate capacity. Ceylon has naturally followed the same plan. Pakistan's choice of title is significant not only for what it omits, but also for what it contains. It is at first sight very surprising that in the Pakistan title there is an explicit reference to the United Kingdom but no explicit reference to Pakistan itself! The explanation, it may be suggested, is that Pakistan is engaged upon drawing up her new Constitution and it is still to be decided whether she will adopt a republican form of government or continue to be a monarchy. In these circumstances it was no doubt wise to make no explicit reference to Pakistan but to describe the Queen truthfully enough as "Queen of the United Kingdom and of Her other Realms and Territories," one of which, if you choose to be explicit, is Pakistan. If Pakistan should become a republic, the title is still correct, though Pakistan will no longer be one of "Her Realms and Territories."[4]

It will be noticed that India has not proclaimed a title for the Queen. Her view, apparently, is that as the Queen has no legal position in India, there is no need for her to be given a title in respect of India. There is no doubt much force in this view. It may be suggested, however, that India could well have followed the Pakistan formula without in any way compromising her republican status. For understandable political reasons, however, the Indian government has not openly associated itself with the proclaiming of a title for the Queen in respect of India. For her the Queen is Head of the Commonwealth, by agreement between the Members, and it requires no legal document to say so.

These details of the Royal Titles may seem trivial and their discussion pedantic.[5] Yet they illustrate the importance which Members of the Commonwealth attach to the Crown, and the individuality which they exhibit in their relations to it. The unity and diversity of the Commonwealth can hardly be better illustrated than in these titles.

IV

The peculiarities of the structure of the Commonwealth can be illustrated further by the attitudes of its members to another of its fundamental principles —equality of status, the sovereign independence of each Member. Here, as in the case of the principle of the common recognition of the Queen as Head of the Commonwealth, the Members adopt their own individual attitudes for reasons which satisfy themselves. When the principle of equality of status was explicitly acknowledged at the Imperial Conference of 1926, it was realized that in fact it did not conform to the letter of the law as it then stood. The Parliament of the United Kingdom could, for example, pass laws extending to the other Members of the Commonwealth, and if it did so those laws prevailed over the laws of the other Members insofar as they conflicted. This was one of a number of matters in which, in law, the other Members of the Commonwealth were not equal in status with the United Kingdom. Some of the Members—Australia and New Zealand, for example—did not mind particularly about this; others, such as South Africa and the Irish Free State, thought that it should be put right at once. Accordingly, adjustments were made in legal and administrative arrangements and in particular an act—the Statute of Westminster, 1931—was passed in the Parliament of the United Kingdom to remove those legal inequalities. The Parliament of the United Kingdom undertook to pass no law in future applying to the other Members of the Commonwealth unless expressly requested to do so, and it was provided that the parliaments of the other Members should be empowered to repeal or amend any British acts extending to them. In this way the parliaments of all the Members of the Commonwealth were placed upon an equal footing.

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[4] Since these words were written Pakistan has tended to become a republic.

[5] One footnote may be added, which may interest those who have followed the controversy in the United Kingdom as to whether the Queen should be described in Scotland as Elizabeth I or Elizabeth II. Apparently Australia, South Africa, New Zealand, Ceylon, and Pakistan, for whom the Queen is certainly the first Elizabeth to reign over them as distinct Kingdoms, were content to describe her as the second Elizabeth! Yet the case for describing the Queen as Elizabeth I of South Africa is surely as strong as the case for calling her Elizabeth I of Scotland. The argument does not appear to have been invoked by the Scottish Nationalists.

I may add that I regard the Scottish argument as historically strong. It might equally well be applied to the overseas members of the Commonwealth.

Yet it is interesting to notice that to-day, as in 1926, while some Members of the Commonwealth have taken complete steps to assert their legal equality, others have not bothered very much about it. Thus at one extreme India has adopted a constitution which declares, in a phrase reminiscent of the American Constitution, that "we, the people of India . . . do hereby adopt, enact and give to ourselves this Constitution." In Australia, New Zealand, and Canada on the other hand, the constitutions claim their force of law not, as in India, from the authority of the people, but from the fact that they were enacted by the Parliament of the United Kingdom. What is more, in Canada some important parts of the Constitution—the British North America Act, 1867—can be altered still only by an act of the Parliament at Westminster. Pakistan, while preparing its new Constitution, has lived since 1947, when it achieved independence, under a British act of parliament, the Government of India Act, 1935, adapted to its present needs. Ceylon's Constitution is established by British orders in council. In South Africa, on the other hand, it is maintained that the Constitution, though originally a British law, now owes authority to its having been re-enacted in 1934 by the South African Parliament.

Corresponding to these differences in attitude to their constitutions go differences in attitude to the British Parliament. Canada, Australia, and New Zealand occasionally ask the British Parliament to make a law to extend to them, under the terms of the Statute of Westminster; other Members do not.

The members of the Commonwealth have differed, too, in their attitude to appeals from their courts to the Judicial Committee of the Privy Council which, inasmuch as it is in practice usually composed of British judges and sits in London, might be regarded as a United Kingdom institution. While India (1949), Pakistan (1951), South Africa (1950), and Canada (1949) have abolished appeals, Australia, New Zealand, and Ceylon retain them, though they could remove them whenever they wished.

Indeed all these legal inequalities are capable of removal whenever a Member of the Commonwealth desires it. Some choose to bring the letter of the law into line with the principle of equality; others are content if the law is so administered that it does not result in inequality in practice. All are agreed and are indeed adamant upon the principle of equality, and if the law conflicts with that principle it must be nullified or paralyzed by constitutional usage and convention, or if that is not possible—and sometimes it is not—then the law must be altered.

V

It has been explained already that not all the countries of the Commonwealth are classed as Members of it. Only the fully self-governing countries of the Commonwealth are Members. Does this mean that whenever any country of the Commonwealth becomes self-governing it is automatically a Member if it chooses to remain in the Commonwealth, freely associated? The answer to this question is not yet clear. It is claimed by some Members of the Commonwealth—and with some justification—that the decision as to whether a Commonwealth country is to be a Member of the Commonwealth must depend not only on the willingness of that country to become a Member but upon the willingness of the other Members to accept her. If this were not so, they argue, it would mean that the United Kingdom, for example, by granting self-government to one dependent country after another, would increase the number of Members of the Commonwealth without consulting its fellow Members. For a Member like South Africa this is a particularly serious matter. If, by unilateral British action, the Gold Coast and Nigeria became self-governing, and thereby Members of the Commonwealth, South Africa's position would be affected and she claims the right to be heard on this subject.

There can be little doubt that the decision as to whether new Members should be admitted to the Commonwealth is a matter of concern to all the existing Members. What is equally clear, however, is that Britain is committed to developing the countries of the Commonwealth at present dependent upon her to full self-government in due course. It is certain, therefore, that a delicate situation will arise if any other Members of the Commonwealth should be unwilling to accept these countries when they attain self-government, if they then declare themselves willing to be Members. And it is still unknown whether such matters are to be decided by a majority or whether a veto shall be conferred upon each Member.

Yet it is clear that if Commonwealth countries become self-governing and if they wish to remain in the Commonwealth, their only proper status is that of full Members. There can be no place in the Commonwealth for second-class Members. Nonetheless, there are problems ahead as the advance of self-government continues, and they are problems which arise quite apart from the sort of objections which South Africa might feel towards the growth of self-government among African countries like the Gold Coast or Nigeria. They arise, for example, from the nature and functions of a Member of the Commonwealth. One of the rights and duties of a Member of the Commonwealth is to consult with other Members on matters of common concern and in particular to take part in the working of various Commonwealth institutions through which cooperation is maintained, the chief of which is the Conference of Commonwealth Prime Ministers, formerly known as the Imperial Conference. The Commonwealth Conference consists at present of eight

Members, though by custom Southern Rhodesia has also attended meetings. It is clear, however, that if the number of Members increases, the Conference will become a large gathering. Is there not a danger that if its numbers increase to more than, say, a dozen or fifteen members, its effectiveness will suffer? Thus if each West Indian Colony became self-governing, followed by each African Colony, and thereafter by the colonies in South East Asia and the Pacific, would not the Conference become completely unwieldy? Moreover, would there not be something unreal in a gathering at which small communities sat down side by side on a footing of formal equality with countries carrying some weight and responsibility in the world, such as the United Kingdom, Canada, India, and Australia? To ask this question is, indeed, to ask whether it is not unreal to grant self-government to these individual small communities, seeing that they are quite unable to stand alone in the world unaided. Would they not raise a problem not only for the Commonwealth Conference but also for such international bodies as the United Nations? Could dozens of small nominally self-governing states expect to be admitted to the United Nations?

Questions of this kind have led to the view that, if Commonwealth countries desire to advance to self-government and if they wish that self-government to be real and effective and not nominal, they should consider associating themselves together, in federations perhaps, and thus enter into the international world as stronger units than they could hope to be if they remained separate. Federations of this kind would be economically strong and politically substantial. From the Commonwealth point of view such associations of countries would clearly deserve to be Members and would be entitled to a say in the Commonwealth Conferences. At the same time, by federation or some other form of union, they reduce the number of individual units sitting around the Conference table and avoid the difficulties of an unwieldy gathering. From this point of view the establishment of the Federation of Southern Rhodesia, Northern Rhodesia, and Nyasaland which has just been inaugurated, and the project for a British Caribbean Federation of many of the Commonwealth countries in that area, which was endorsed at a Conference in London in April, 1953, are important developments. It is along lines of this kind that some solution may be found to the problem of reconciling the acknowledged British policy of granting self-government to dependent Commonwealth countries, with maintaining a Commonwealth Conference of Members who can and will cooperate effectively in matters of common concern. Members of this sort of standing would deserve also a place in the United Nations, where consultation and cooperation between Commonwealth countries is a matter of the greatest importance.

VI

What sort of association is the Commonwealth then? The constitutional lawyer finds it very difficult to say. There is for him no legal link binding the whole association together. The international lawyer, who deals more in conventions, might find material upon which he could construct an argument that the Commonwealth was in some way like a league or alliance. Yet the material would be scanty. The Members are bound by no exclusive treaties. Their strongest obligations, in international law, to each other arise from their membership in such bodies as the United Nations Organization or the North Atlantic Treaty Organization, and these obligations are, of course, not binding upon all Members of the Commonwealth—Ceylon has not yet been admitted to UNO and only Canada and the United Kingdom are members of NATO—nor are they exclusive Commonwealth obligations, for other countries share in them.

The lawyer can tell us little about the nature of the Commonwealth. When its statesmen attempt to describe it they call it a "club" or they call it a "family." Each term has its value. "Club" is appropriate to the use of the term "Members" of the Commonwealth. A club illustrates particularly the ideas of equality of status and freedom of association, and stresses also the fact that membership involves not only willingness to join but also willingness on the part of existing members to accept. It suggests also social intercourse and friendship, common sympathies and interests, mutual assistance and goodwill among people of differing characteristics. The Commonwealth is founded on these ideas.

The idea of a family brings in other notions. It reminds us that the Commonwealth countries have been associated together in history for many years; that for some of the countries like Australia, New Zealand, Canada to a large extent and South Africa to less extent, England, Ireland, Wales and Scotland are mother countries. For others, like India, Pakistan, and Ceylon, the United Kingdom may have been a step-mother! There is a lot of family history in the Commonwealth, some happy, some difficult. Now it is understood that as the daughters and step-daughters grow up, they may take their place at the family council table if they wish and be accorded a full say in family matters. The relationship of mother and daughter is passing; it is a family of sister-nations or a brotherhood of nations which the Commonwealth has become. As time passes more Commonwealth countries will attain self-government and more faces will appear at the family table.

On this analogy all the Commonwealth countries belong to the same family; the Members are those who choose freely, when they come of age, to join in the family councils. If we look at the Commonwealth in this way, it makes it harder to say that when a Commonwealth country becomes self-governing, it may not, if it wishes, become a Member and join in the family councils, for after all it belongs to the family as a matter of family history. It may well claim the right to share in the family councils, and, if it does, it is not easy to deny it that right. Of course it is well known that in family life, people do sometimes prefer not to take part in family councils; they cut themselves off from their family's affairs. And likewise, families sometimes decline to have anything to do with some of their relations.

The position of Eire illustrates this aspect of the Commonwealth considered as a family. Eire clearly belongs to the Commonwealth as a matter of history. It is part of one of the mother countries of the Commonwealth. But, as a result of family quarrels, it has decided that it does not wish to take part in the family councils; it ceased to be a member of the Commonwealth in April, 1949, rejecting at the same time its recognition of the Crown as the symbol of its association with the other Members. Yet, though Eire takes no part in family councils and declines the rights and duties of a Member of the Commonwealth, there are interesting signs still to be detected that it belongs to the Commonwealth family. Thus, by an arrangement between Eire and other Commonwealth countries, Irish citizens are treated in Commonwealth countries upon the same footing as citizens of those Commonwealth countries; and Eire offers reciprocal privileges to Commonwealth citizens. This arrangement, so far as the United Kingdom is concerned, is dictated, of course, by considerations of mutual advantage and common-sense, for so many Irish citizens live and work in Britain. Thus we have the anomaly, as odd as any in the Commonwealth itself, that Eire is not a Commonwealth country and it is not a foreign country. Irish citizens are not Commonwealth citizens and they are not aliens. The anomaly is carried a little further by the fact that whereas the Members of the Commonwealth are represented in each other's capitals by High Commissioners, Ireland is represented therein by an Ambassador, but the Irish Ambassador in London conducts his relations with the government of the United Kingdom not through the Foreign Office, as would a foreign country, but through the Commonwealth Relations Office as do the Members of the Commonwealth!

The analogy of the Commonwealth as a family adds something valuable therefore to the idea of the Commonwealth as a club. It helps to explain some of the difficulties and anomalies in the Commonwealth as well as some of the virtues and strengths. For some of the Members, like Australia and New Zealand, perhaps, it means more than for others like India and Pakistan. In some Members like South Africa the fact that some of its citizens, such as the English-speaking South Africans, place great emphasis upon the Commonwealth as a family relationship leads other citizens, such as the Afrikaans-speaking South Africans, to distrust and dislike it and to feel, perhaps, as many Nationalists in South Africa do, that even the idea of the Commonwealth as a club has its dangers.

For my part I think the notion of the Commonwealth as a family helps to explain its nature with remarkable accuracy and insight. It adds to our understanding of the way the Commonwealth works some factors of psychology and sentiment which the idea of a club does not provide, and which are of very great strength and importance. Not least, too, the family analogy helps us to understand the position of Eire, which in itself is often a clue to the understanding of the Commonwealth. The position of Eire in relation to the Commonwealth reminds us that while not all those who have belonged to the Commonwealth family will wish to be Members of it when they obtain self-government, it does not necessarily follow that they will cut themselves off entirely from their family. And perhaps the family analogy, and the Irish case in particular, can help us to understand, too, the relations between the British Commonwealth and that other Commonwealth which once belonged to the same family—our near relations in the United States of America!

NATIONALISM AND DEMOCRACY IN THE BRITISH COMMONWEALTH: SOME GENERAL TRENDS

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I

The two dynamic political forces in the British Commonwealth[1] are those of nationalism and democracy, and they are in close alliance. This fact is most evident in the older dominions, which were colonized from the British Isles, or, in the case of Canada and South Africa, partially colonized also from France and Holland. The genesis of their nationality was evident when as colonies they gropingly aspired to become autonomous political communities, standing on their own feet, seeking to shape their own future, not isolated from the metropolitan power, but also not subservient to it. In them the prevailing concept of a nation has been that of a people organized to achieve within the state the ends of popular freedom and political order. Owing to the liberating and levelling ways of the frontier, a new land provided special scope for the ideas and sentiments of democracy and hence the more readily generated among the people a potent sentiment for itself.

The close link between nationalism and democracy has been excellently illustrated in Australia and New Zealand. In Canada also it has been real, although somewhat less secure, for, owing to the dual cultures of the people, there has been some ambiguity about the nature of nationality. In South Africa the ambiguity is even greater. In the three Asian states of the Commonwealth the soil and environment for nationality and democracy have been different, but here also, as I shall attempt to show, the two concepts and the two movements have been allies.

The older dominions exhibit in development significant if often subtle differences, the product of special environment and history. But they possess in common one salient feature: they are in a self-conscious stage of nation-building, and hunger in the modern world to achieve a deeper political and economic unity. With them the sense of nationality does not resemble, as in older nations such as Britain and Holland, a powerful and spontaneous instinct quietly impelling their people. On the contrary, their consciousness of nationality, especially in critical times, assumes an anxious, clamant, insistent character. It seems concerned above all to demonstrate its own arrival and its own strength, and its eager demonstrations may suggest a doubtful maturity. One historian remarks of Canada as a national unit that "it is so obviously prefabricated that everyone knows it." But actually, through its spokesmen, it seeks to avoid the appearance of prefabrication. As commonly with youth, these communities endeavour to imitate impressive models, and inevitably the models are the European nations, especially Britain and France, and to a less extent the United States. They are keen to emulate the British and French strength of patriotism and pride in achievement. The early exponents of their nationalism scorned the fact that they were merely citizens of a colony; they wanted to be citizens of a nation, and reap the material benefits and spiritual satisfactions that were assumed to accompany this more dignified and significant status. Born in reaction against colonial inferiority, dominion nationalism was promptly stimulated by the advances in autonomy and in turn furthered these advances. At intervals it was doubtless fostered by the patronizing attitudes towards colonial life of some publicists and public men in Britain, although such attitudes were hardly necessary to ensure its growth. The merging of scattered colonies into the large federations of Canada and Australia was partly at least the achievement of a nationalist aspiration. It was assumed that a bigger political unit would provide more solid foundations for a great nationality in the future, and in turn the nationalist emotion would make government possible over wide areas. Seldom in the last century was this idealism more eloquently expressed than in the writings and speeches of an emigrant Irish rebel of 1848, D'Arcy McGee, who sought to inspire his contemporary Canadian colonists, absorbed in their petty squabbles, with the nationalist faith which as a youth he derived from Thomas Davis and other early exponents of nineteenth-century Irish patriotism.

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[1] A brief comment on nomenclature is relevant to a discussion of the modern British Commonwealth. The simple term "Commonwealth" is now coming to replace "British Commonwealth," and in the Queen's titles, as recommended by the dominion Prime Ministers in December, 1952, it received explicit sanction. But the adjective will always be useful in order to avoid ambiguity. The term "dominion" to designate a fully self-governing member of the Commonwealth is in some official circles now avoided, but in the absence of an adequate substitute its convenience is obvious. In this article my concern is only with the full member states of the Commonwealth, but a related theme of immense interest is that of the emergent nationalities of the African colonies, which afford comparison and contrast with the nationalities of the dominions.

These communities, unlike Britain, seldom take their nationality for granted. Their politicians are ever eager to place it prominently on the electoral stage; they make it the basis for programs and actions of a varied and sometimes irrelevant nature. All this is doubtless natural enough and wholesome enough. It helps to integrate and unify people scattered in extensive territories. Its success varies with circumstances. In Australia, which happily possesses a continent to itself, nationalism for evident reasons encounters fewer daunting difficulties than in Canada and South Africa. The Canadian national problem is peculiarly complex. There is the bi-national or bi-cultural fact of French and English. There is also the weighty circumstance of proximity to the United States, with its powerful and inescapable influences on Canadian cultural life, making it appear difficult for the community to attain many distinctive achievements, except its own political existence. Owing to the facts of North American civilization, Canadians who set store by material development—and most do—must inevitably be nationalists of a qualified type. They can do, and have done, many things alone; they are responsible for achievements that inspire national pride and create national myths, but there are other goals that they cannot readily reach alone, and for material advantage they must seek collaboration with the people across their southern border. To the United States they must look for markets, capital, techniques, incoming tourists, and defensive support. There are numerous other things for which they need not rely upon their neighbours, but in fact they find it difficult to ignore the precedents set by a very vital people ten times more numerous who live alongside them under North American conditions. There is no compelling need for them to imitate Americans in football or in the programs and methods of university study, but admittedly they often do. Intellectuals resent and decry this cultural permeation, but deep in the popular mores it steadily and silently proceeds; it penetrates the protective walls which the more exclusive nationalist would erect. The task of creating a culturally distinctive nation of the type which in Western Europe required centuries is obviously difficult in North America, since the two chief territorial states have common cultural roots, common material tasks, somewhat similar geographic regions, and are both very sensitive to the same currents of modern industrialism. Inevitably they tend to move in unison.

Canada's response to American influence is usually interpreted as a bending on her part to the compulsion of geography, or an acceptance of geographic destiny, just as Australia, New Zealand, and South Africa also bend to geography, although in other ways. While there is a Canadian nation in the making, there is also a North American community in the making, shaped profoundly by the modern means of production and communication on land, in the air, and in the ether. In saying this I am far from suggesting, as Goldwin Smith was wont to do more than fifty years ago, the futility of Canada's national aspirations. The aim of creating in the northern half of the continent a distinctive nation ensures for its people an invigorating incentive, and wins for them an impressive triumph: the political structure of modern Canada, with modes of rule and systems of law different from those in the adjoining republic. Thus the striving to achieve a Canadian nationality enriches the political experience in the English-speaking world and adds to political life in North America a valuable variety. All this is not futile, except possibly to a special type of Manchester liberal like Goldwin Smithin his pessimistic moods.

Yet the most marked and significant feature of Canadian political nationality is one shared with the other older dominions: a strong sense of intimate external relationships, especially with Britain and the United States. Canada by its intrinsic nature is always aware of outside bonds even if some Canadian nationalists are not, for as a community it has grown up harmoniously within a broader community and in close, friendly contact with its neighbour. In this matter it is like Australia and New Zealand, which no less are distinct political nationalities, deeply influenced by local environment, but also cultural segments of the English-speaking community in the world, conscious parts of this larger whole, and invigorated by the continuous flow of blood within the whole. No other contemporary states probably possess so strongly as these countries the awareness of sharing in a stream of life larger than that within their own frontiers. The governing facts of their peculiar political and economic evolution have saved them from a narrow isolationism. Into the new world (whether America or the South Pacific) they originally brought an inheritance from he old, and no revolution has obliterated their sense of affinity with the old.

But in Canada and South Africa another aspect of nationalism is significant. These states, from one point of view, are dual cultures under one government. There have been those who sought an ultimate if gradual merging of the two strains into a Canadian nation and a South African nation with a common culture in each, like that of Britain to which the English, Scots, and Welsh all contribute. But in neither country is this ideal of a comprehensive nationality realized, nor is it likely to be realized in the near future. The unity is still confined mainly to the sphere of politics, although its frontiers are being extended. While the dual cultures within the political nation share much in common, they are also distinctive. Hence the fervid talk of French nationalism and Afrikaans nationalism in which English-speaking peoples are not expected to participate. The consequence in each dominion has been the making of formal agreements on cultural matters, essential to ease tensions and enable the representative state to operate. Such agreements, especially on language and educacation, have never ceased to create political problems and political frictions, although on the whole they have worked remarkably well. Nevertheless the separate nationalities survive, with their inward-looking loyalties and their ever lively fear for the survival of their cultures. The currents of modern social change may often arouse their apprehensions lest valued elements of the culture will be swept away. Sometimes they are influenced by imagined grievances which become the most acute grievances. A sense of historic wrong rooted in popular imagination obstructs the rational method in politics, hampers a feeling for present realities, and may even threaten a belief in the basic methods of democracy. For the minority type of nationality the passion to survive may become the one all-absorbing passion, and then its claims will certainly challenge the larger demands of the state.

There is little space here to compare in this matter the experiences of Canada and South Africa, other than to remark that over the last eighty years Canadian federalism has tended to lessen internal tensions, for its legal rigidity is commonly protective of diverse cultural groups; it gives them on the whole some feeling of enduring security. It ensures a certain stability above the shifting majorities of contemporary politics. But federalism is more effective in harmonizing dual cultures if wedded to liberalism. Nothing more promptly reduces the temperature of fanatical zeal than the presence of a liberal attitude of conciliation and all that it implies; nothing is a better solvent of passion. Such is the fact which Canadian political experience would seem to demonstrate. Fortunately the most influential spokesmen for the French in Canada, from Lafontaine in the middle of the last century to Mr. St. Laurent today, have paid warm tribute to British liberal philosophy. It was Henri Bourassa, a brilliant and consistent champion of the French cause, who declared: "I am a Liberal of the English school. I am a disciple of Burke, of Fox, of Bright, of Gladstone, and of all those Little Englanders who have made England and the Empire what they are today." To him the reconciling agent in the relations of the two peoples was the liberal and pluralist philosophy.

In South Africa the same philosophy, represented in the practical ideas and action of diverse men, such as Merriman, Schreiner, Botha, Smuts, and both Hofmeyrs, likewise helped to compose cultural differences within the one state and create a political nation. But in contrast to the Canadian, the South African environment, with its millions of tribalized and detribalized natives, its polyglot society, and its conflicting cultures, has been much less friendly to the liberal spirit. Moreover South African history, with its painful events and their legacy of rancour, has made many Afrikaners more intense and less compromising in their nationalism than the French of Quebec. An inflamed emotionalism brings to the state sharper strains and stresses, and is accentuated inevitably by those hard problems involved in incorporating the numerous natives into the community, whether as citizens, quasi-citizens, or merely a labour caste.

Nationalism in the Asian states of the Commonwealth, despite its very different social environment, has one obvious resemblance to that in the older dominions. Here too, as already noted, it came to be linked with a democratic movement. There were (and are) varied and conflicting strains of thought and sentiment amongst both Hindus and Muslims, some of which were hostile to democracy. But the most influential leaders of nationalism in the Indian subcontinent have been mainly an intellectual, middle-class elite, inspired by the literature and accomplishments of British liberalism and Western democracy and anxious to create a liberal, and in some degree a social democratic state. British policy itself was headed in that direction, for in the twentieth century it was designed gradually to prepare the Indian community for self-rule. The victory of nationalism was to be a victory for the people. Some, like Pandit Nehru, hoped that it would no less be a victory for what he called "the conquering scientific culture of modern civilisation." Gandhi's appeal was somewhat different, less rationalist, rooted in tradition and religion, and emphatic that "independence must begin at the bottom, so that every village can be a republic." Admittedly his theory of the state was vague and ambiguous. He was a mystic who often dispensed with logic, the spiritual prophet of a cause rather than its political philosopher. But his ideal was a national state organized broadly on democratic lines, a state wherein all the more harsh distinctions of superiority and inferiority would duly disappear.[2]

Indian nationalists in their final triumph signalized attachment to the democratic ideal by rejecting communalism in favour of equality for all, eliminating the ancient rule of the princes, and drafting a constitution which is a remarkable charter of political liberties. One may say charter advisedly because, unlike most constitutions, it prescribes not merely laws to be obeyed but ideals to be realized. A concrete result was the enfranchisement of 175 million people, mostly illiterate, and the holding of elections on a scale unprecedented in the annals of democratic states. In Pakistan and Ceylon steps have also been taken, although not identical, to create political nationalities on a democratic basis, and in the three the parliamentary form of government is adopted and the precedents of Westminster accepted.

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[2] Contradictions appear in Gandhi's social thinking. Despite his attack on the system of untouchability, he defended in certain writings the Hindu system of hereditary caste and hereditary occupations. He usually offered subtle reasons for his distinctions, but the working of his mind often made the more Western type of democrat, like Pandit Nehru, impatient, as the latter candidly admits in his *Autobiography*.

But it would be unrealistic not to recognize that, while in these Asian countries the nationalist ideal is linked with the democratic, there are also differences, no less significant because frequently subtle, between the outlook and operative forces in the nationalities of what may be called for convenience the dominions of the East and the West. India, judged by population, is the second largest state in the world. With a prolific people and great potential power it is inevitably anxious to play a special role in Southern Asia or indeed in Asia as a whole. It feels animated by attitudes of mind different from those in the West, and confident that it can draw from its own peculiar wells of inspiration. It is not, like the dominions which had been colonies, a land settled in recent centuries, but an ancient society awakened by revolutionary change to new visions of importance. The springs of its own life and environment give it a different national interest, the focus of which is Asia, whereas to the Western members of the Commonwealth Asia is secondary. It is not unnatural if in the utterances of some Indian nationalists we detect a missionary note. Nor is it unnatural that while at present India is a happy member of the Commonwealth, it cannot owing to indigenous cultural conditions feel that it is an intimate brother of the older dominions. It is a member of the Commonwealth but without sentiment. Nor can it like the older dominions wish to be fully integrated with and dependent upon the great English-speaking community. It is inevitable that it should desire to be more independent. It may not (it does not) at present possess sufficient sinews of material power to pursue a course of outright independence, but that fact does not alter the direction of its spirit.

As long as India is guided by Pandit Nehru and middle-class leaders of his type, this fact may not be of much concern to the Commonwealth. But tomorrow Indian nationalism may not know a Nehru, educated in the West, with a world view, a political skill, and a sophisticated mind. Democracy wedded to nationalism is likely in time to throw up leaders of a less aristocratic quality, who come from the masses and are more directly swayed by the indigenous impulses and conceptions among millions of peasants and workers, and the expression of such impulses will be determined by a changing social situation. In this social situation the three Asian countries differ markedly from Canada, Australia, and New Zealand, for the configurations of their social structure still reflect age-old elements of hierarchy, wide gaps remain between rich and poor, in India the iron bonds of caste had long existed, and the spirit of caste is not yet dead. Unlike the older dominions they did not experience the levelling and homogenizing influence of sparse settlement on agrarian and pastoral frontiers, not to mention the deep experiences of mind and spirit which British society underwent in the two centuries before the colonists crossed the oceans. Despite technical borrowings from the West, they have not in like degree reaped the material benefits of advanced techniques applied to production. Mass poverty and congested lands are still predominant issues. The peasant, deriving precarious returns from primitive modes of cultivation, remains a social fact. The implications of such circumstances for nationalism and democracy are obvious. An emphasis on economic and social goals, present already in Gandhi's program, becomes stronger in contemporary Indian nationalism, and is reinforced by the rise of communism in China. The special form of this welfare collectivism in the future and the manner whereby it affects the nature of party leadership are crucial for Indian democracy. The significance of economic development to the political life is emphasized in the claim of the UNESCO report on *Compulsory Education in India* that the cost of educating every Indian child would take three-quarters of the total income of the central government and of all the state governments, a burden that at present the country cannot carry. Hence the first step to ensure the compulsory education of all children involves a large increase in the wealth-producing power of the Indian economy.[3]

II

The visible part of the British political inheritance in the contemporary Commonwealth is the presence of popular parliaments legislating in accordance with the traditions and privileges of their prototype at Westminster, searching diligently in the venerable volumes of Erskine May for suitable precedents, and on occasion deciding by vote the life or death of a government in harmony with the principle of ministerial responsibility. Here certainly is impressive evidence of British political influence. Yet a closer look at these solid parliamentary regimes indicates that they do not always operate precisely like their model. Nor could one expect them to do so. The conditions of a society and the attitudes of its people, including their public morality, must determine how an institution will work. When in the nineteenth century British parliamentary institutions were carried overseas, many other things did not and could not accompany them. The most important of these was the British social system, especially that portion of it called "the governing class," composed at the upper levels of men with much intellectual cultivation who had leisure to devote themselves to public affairs and to become adept in the parliamentary art, obedient to significant but unwritten rules of conduct. More important than their skill was a certain liberality of mind, or relative freedom from rigid dogmas, in interpreting the interests of the widening public which they were called upon to represent. They did not commonly consider themselves as intellectually demeaned by agreeing to compromises, or by altering programs in response to the shifting currents of opinion outside. They accepted compromise less as a treason to principle than a valued principle in itself. Thus they demonstrated that parliamentary government could function successfully in an industrial society where change had become the law of life.

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[3] H. G. Saiyidain, J. P. Naik, and S. Abid Husain, *Compulsory Education in India* (UNESCO, 1952).

No dominion acquired the equivalent of such a governing class. The social conditions of frontier communities were hostile to it, as they were hostile to the British class system in general. In truth these communities were often unfriendly even to any pronounced traits of intellectual cultivation in their politicians, for they did not wish them to be mentally removed from ordinary folk. "We have faith in education," remarked Carl Becker of his fellow Americans, "but not too much in the educated." A Canadian or Australian might aptly make the same admission. The intellectual in politics, unless possessed by an overpowering geniality, is likely to be suspect. There have been exceptions, but they hardly do more than prove the rule. Such popular attitudes are now much less pronounced but they survive.

The dominions suffered from this lack of an experienced and educated political class. The losses are not measurable, but in the past were shown often enough in the ineptitude of party leadership, the mistakes of law-makers, and the incompetence of administration. They were partly illustrated in the tardy establishment of efficient systems of financial control and in the belated application of intelligent rules for utilizing and conserving natural resources. But one would indeed be naive to think that a native governing class, even one so astute as the British, would have saved these countries from all political errors. We can only assume that the losses would have been less. However, this is mere speculation. Constituted as they were, the dominions were not in the position to produce skilful political elites like that of Britain, and the remarkable fact is that they fared as well as they did with their homespun politicians. Fortunately at certain critical times they possessed men of genuine political vision, fortitude, and wisdom. One will not in vain search for evidence of such qualities in the Debates on Confederation in the legislature of the Canadas in 1865, or in the discussions of the National Australasian Conventions of the nineties. In them there is little political philosophy of the academic kind and little sophisticated theory; but there is ample evidence of strong empirical minds coping with problems. This fact is perhaps the one most to emphasize. In their tough empiricism the dominion communities retained the significant essentials of the British political tradition. The theory to which they commonly respond is that shaped by a constant sense of actuality past and present. They exhibit the characteristic British zeal for pruning the branch but sparing the root.

Such remarks must refer to the older dominions. It is still premature to generalize with assurance about parliamentary government in India, Pakistan, and Ceylon. To the political life of these countries, as noted already, the British liberal and empirical tradition was introduced by those who aroused the people to national consciousness. The parliamentary system of Westminster was taken as the prototype for the new states. The Indians established a republic, but not on the American pattern; it conforms closely to the essential principles of British constitutional monarchy, and its president acts as an uncrowned monarch. Throughout the constitution there is an evident endeavour to achieve something of that English balance between the claims of individual and state and to uphold the rule of law.

Yet one cannot help asking about India whether the constitution in itself, so British in conception, is sufficient to preserve the traditions of liberal democracy and whether these traditions are likely to be destroyed or transformed by the social and emotive forces prevalent in the sub-continent. Will the almost daily compromises and little evasive ingenuities of parliamentary practice, which have enabled the system at Westminster to survive, withstand the peculiar and potent pressures which the Asian environment is likely to create? Will the spirit of liberality so essential for democratic compromise take and retain firm hold on the masses and their leaders? At present no certain answers are possible. But it is evident that some discerning Indians watch with concern the course of political development. Even when elated by what already has been accomplished, they cannot disguise their anxiety for the future. A brilliant educationalist and independent thinker, the late Dr. C. R. Reddi of Mysore, saw in India countless hindrances to good citizenship which called for great and sustained efforts to overcome.[4] He saw these hindrances most of all, despite the triumph of the nationalist movement, in the absence of a vital sense of unity or national oneness. "It is not that the idea of unity is not there, but the feeling and the will are feeble." To proclaim unity is not the same thing as to possess it. Localism and communalism of different kinds exist, even within Hindu society itself; they influence conduct, and are only too capable of political exploitation in the future. Wide and embarrassing variations in culture remain. The spirit of constitutionalism, the lifeblood of the democratic state, is not indigenous to the country, and in some respects was inhibited rather than fostered by certain phases of the struggle for national independence. Among the masses violence is often quickly resorted to for trivial ends or for no rational ends whatever. In the early summer of 1953 a farthing increase in the second class fares of Calcutta's transport occasioned riots that cost ten lives and the destruction of many trams, trains, and buses. The tactic of civil disobedience is turned to purposes that would shock its author, Gandhi. For the masses active rebellion is easier than passive resistance. Public opinion produced from the play and interplay of opposing and reasoned views needs ampler scope than it yet possesses. Party government in the strictly British sense can hardly develop as long as Congress retains a position of overwhelming predominance.

It is not surprising that a Communist movement acting on Stalinist ideas has established itself in India, since among the masses dismal poverty, widespread illiteracy, and harsh class distinctions, especially in the countryside, give its exponents scope. In the national and state elections of 1951 the Communists won many successes, notably in the southern states of Hyderabad and Travancore, and in the national parliament they constituted with some allies the chief and critical opposition to the Congress party. The social circumstances of the sub-continent peculiarly favour application of Lenin's prescription for joint legal and illegal activities. Communists have been quick to exploit in southern areas, such as the Telangana, the bitter passions of aggrieved peasants, and have abetted violence with arson as appropriate measures against landlords and administrators. In India, as in the West, some intellectuals and humanitarians are lured to communism, not merely by its claim to further social betterment, but also by the sacrifices and perils associated with a revolutionary cause. The contemporary experiment in China is not likely to lessen their number. Often the intellectuals may at the outset have been liberal nationalists who moved rapidly and far to the left, for, as M. N. Roy has remarked from his own deep experience, "Communism in Asia essentially is nationalism painted red." But for democracy the most dangerous social fact in India that Communists will continue to exploit is the poverty and depression of the peasants, combined with the lingering elements of the caste system in the villages. Exploitable also is the intensity of local sentiments. It is characteristic that behind the scenes the Communist party should seek to make political capital out of the movement for linguistic provinces, although before 1947 they had opposed the linguistic movement. Whatever adds to frustration in the existing state will increase the opportunities of the party.

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[4] See his article "Basic Conflicts in Indian Politics," *The Hindu*, January 26, 1950.

In Pakistan, the second largest Asian state in the Commonwealth, democracy faces similar difficulties. Here also the nation is rent into heterogeneous elements. The Bengalis, Punjabis, Pathans, and Sindhis possess their distinctive loyalties and their conflicting claims. An uncompromising provincialism has found in communism an ally, which seeks to undermine respect for the law and order of the new state. Pakistan was founded to ensure that Muslims would possess a land wherein they were free to regulate their lives according to their peculiar culture and traditions. But unfortunately the Muslim community in itself, like many other large and ancient religious communities, is splintered into sections of divergent outlook, and bitter factions influence popular passions. In March, 1953, riots in the Punjab, motivated by religious fanaticisms, cost over one hundred lives.[5] Mullahs extreme in their zeal pretend to present the only correct principles of Islam and to cleanse Islamic practice from the impurities of modernism, but in resorting to intimidation they contribute to bitter popular strife. The reactionaries usually have contempt for the civil administration, contending for a regime in which the mullahs would wield decisive power. In this situation hot sectarian passions militate against the temper and methods of democracy. To other weaknesses in the state must be added the perilously unbalanced character of the Pakistanian economy. Some eighty per cent of the population dwell in villages and work on the land at low standards of life. Little of the two main products of jute and cotton are processed in the country, and sharp fluctuations in their external demand promptly affect for good or ill the health of the entire economy. Such facts contribute to political insecurity, and to some Pakistanis suggest the need for disciplined rule on the lines of Kemalist Turkey.

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[5] In October, 1951 one of the able founders of Pakistan, the Prime Minister Liaquat Ali Khan, was the victim of an assassin's bullet, and in the subsequent months civil disorders multiplied.

Thus within the two major Asian states of the Commonwealth grim and challenging facts confront those who seek to rule by the methods of democracy, but there is little evidence that the genuineness of their political faith is impaired. A remarkable political experiment, a direct product of British imperialism in the past, continues in keeping with its original plan.

III

A political fact common to all the major countries of the Commonwealth and imposing on the parliamentary system a severe strain is the increasing activity of the state. This collectivism is a product of powerful pressures in Western civilization, not least in modern democracy itself, with its tendency to make the state an agency for serving the populace in miscellaneous ways, guarding it against the ills of unemployment, easing for it the burden of ill-health and old age, and protecting for it, or pretending to protect, the values of human personality against the harsh operation of economic law.

The pronounced and direct action of the state in the economy came first of all in the democracies of the Commonwealth overseas. In the sixties of the last century Walter Bagehot wrote of his countrymen: "We look on state action, not as our own action, but as an alien action; as an imposed tyranny from without, not as the consummated result of our organized wishes." But when these words were penned the colonial communities were viewing the state, not as an enemy but as a friend, through whom railways were built, canals constructed, and varied aids provided to colonists in exploiting the resources of a new land. From that day to the present this collectivist trend has continued and deepened. In the twentieth century, with the coming of democracy in Britain, the state here also, as discerning observers like Matthew Arnold and Charles Dilke prophesied, extended its activity, and by 1939 was providing more advanced and comprehensive social services than those prevalent in the dominions except New Zealand. Then in the late forties there followed the rapid ventures in nationalization of the Labour Government, which admittedly in some respects merely engaged the state in enterprises, such as railways and electric generation, that for more than a generation had been managed by agents of the state in Australia and New Zealand. But the power of the collectivist concept is now probably stronger in Britain than elsewhere in the Commonwealth. Its effect on public attitudes is becoming profound.

This marriage of democracy and collectivism has meant for parliamentary government a rapid growth in executive and administrative action, an enlargement in the tasks of the legislature, an increased tendency at the same time for ordinary members of parliament to lose control in the making of public decisions, a frequent difficulty in pinning down responsibility for public acts, and generally a vast increase in the authority of public servants over what had been the private affairs of citizens. In all these countries similar institutional problems are created by the advance of collectivism. They are no less, indeed perhaps even more, acute in India than in Canada; no less evident, although of much smaller magnitude, in New Zealand than in Britain. A crucial issue is the necessity for a defined and logical relation between the varied actions taken by the state and also for a fund of patience and knowledge in those who press for action—a usual and sad lack in the doctrinaire. Joseph Schumpeter has aptly remarked that in a democracy the proponents of reform "must be content to stand in an orderly breadline; they must not attempt to rush the shop." On the politician is thrown the immense burden of controlling the ill-judged proposals of the electorate. Unfortunately he himself may initiate many such proposals.

Along with the institutional developments and owing to technical progress, we witness also some tendencies in society which seem to minimize the significance of the individual and to merge him or melt him into masses and crowds, subject to common stimuli and susceptible to possible manipulation by those, whether public or private, who control the agencies for communicating thought and suggestion, such as the producers of large newspapers, films, broadcasting, and television.

In the dominions as elsewhere many disturbing questions may be raised about these tendencies and developments in parliamentary institutions and contemporary society, and the extent to which they seriously threaten the achievement of democracy. It is not difficult to create Frankenstein monsters, as some modern writers have done, out of the massive organization of modern life whether in the increasing growth of collectivism within the state or in the parallel growth of powerful bodies that through technical methods affect the thought and sensations of the masses. It is not, however, the scholar's task to create Frankenstein monsters, but simply to note tendencies and assess experiences. The general fact of interest here is that the whole purpose of modern democracy is to render power responsible to the community, and the rise within it of new aggregations of power does not make its purposes irrelevant, but does increase greatly its difficulties and challenge acutely its leadership. The states of the Commonwealth possess diverse environments, history, and culture and such variety makes all the more severe and important the test to which they are now subjecting the parliamentary method as a mode of achieving political responsibility. While the success of these experiments will be determined most of all by local circumstances and cultures, it will also be affected by the political vitality and achievements of Britain itself in its new ventures of democratic and liberal socialism. No doubt also in future years, more than in the past, the dominions will learn directly from one another, for they have in common enough institutions to render adaptations useful and feasible, and between them the channels of communication have greatly improved. But it is Britain that will continue to exert the most significant although imponderable influence on all the other countries which originally derived from it parliamentary institutions and political thought. For them it will long remain a unique reservoir of political experience in self-government.

NEUTRALIZATION AND THE BALANCE OF POWER

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Since the outbreak of the Korean War, the free world has made erratic but continuous progress in its effort to achieve military parity with the Communist bloc. Success in this enterprise and the realization of a "situation of strength" would bring to the fore the problem of serious negotiations with Soviet Russia. Several analysts, including Winston Churchill, have already made strong pleas for reviving the "lost art" of diplomacy as a means of obtaining some settlement of the Cold War.[1]

Speaking in a somewhat different military context, before the U.S.S.R. developed the atomic bomb but prior to the Western rearmament effort, Churchill observed:

> We may be absolutely sure that the present situation cannot last. . . . It is not only here in Europe that there are these iron curtains, and points of actual collision . . . I believe it right to say that the best chance of avoiding war is . . . to bring matters to a head with the Soviet Government, and, by formal diplomatic processes, with all their privacy and gravity, to arrive at a lasting settlement.[2]

Without yielding to undue optimism, we may agree that as the time for negotiation approaches, it is appropriate to re-examine the techniques and devices of traditional diplomacy in order to estimate their utility in this context. One device which could contribute toward the attainment of an equilibrium is the concept of neutralization and its application to potential buffer states along the East-West frontier.

There is a disposition today to regard neutrality as obsolete on the grounds that collective security has virtually eliminated it as a status under international law. Yet neutrality in whatever guise has persistently reappeared during the crises of this century, and it gives every indication today of possessing a surprising degree of vigor. The related condition of neutralization cannot therefore be dismissed as a specialized version of an outdated legal position.

Neutralization is of particular interest because a state can become neutralized only if the major powers participate in the process. Hence, unlike neutrality, the question of neutralization would involve the United States and the Soviet Union in direct diplomatic negotiations, in which an accommodation would be sought by both sides. It is with a view toward estimating its utility in the near future that we must examine the record and present status of neutralization.

Although the policy of erecting barrier states has long been used by strong powers, the subtle concept of neutralization by international agreement is of recent origin. As commonly understood, neutralization is the artificial creation of a condition of neutrality, and a state so affected is "one whose integrity has been permanently guaranteed by international treaty, conditionally on its maintaining a perpetual neutrality save in its own defense."[3] This concept refers of course only to those political areas within which the power to decide between war and peace resides. Interdiction of acts of war in such delimited areas as bodies of water and special zones may better be called demilitarization or "military neutralization."[4]

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[1] Among these are George Kennan, *American Diplomacy 1900–1950* (Chicago, 1951), pp. 92–95, and Hans Morgenthau, *Politics Among Nations* (New York, 1948), pp. 419–30, 438–45.

[2] *Parliamentary Debates*, Fifth Series, Vol. 446, House of Commons, Jan. 23, 1948 cols. 560–61.

Historically, the idea of interposing neutral areas between large powers received little more than passing consideration during the seventeenth and eighteenth centuries, when the scramble for power and territory was intense.[5] Attempts to neutralize a partly partitioned Poland in 1791 and Malta in 1802, although abortive, foreshadowed the procedure followed at the Congress of Vienna in 1815, when, for the first time, multilateral treaties were devised to guarantee the perpetual neutrality of several areas.[6]

Thereafter, the principle was applied rather liberally throughout the nineteenth century, the most notable examples being Belgium in 1831 and Luxembourg in 1867.[7] Belief in its efficacy was evident from the attempts made to prescribe it for such widely scattered areas as Samoa and the Congo, and it was incorporated in the organic statute of Albania as late as 1913.[8] Many violations of solemn pledges during the First World War, the most famous being the "rape" of Belgium, indicated the apparently illusory nature of neutralization guarantees.[9] These were openly repudiated or simply ignored in the decade that followed. However, the total inadequacy of alternative systems during what proved to be merely an interwar period resulted in an increased desire by many states, especially the weaker ones, to remain neutral at all costs, and so again directed attention to the possible value of neutralization by agreement.

It must be admitted at the outset that neutralization, as a constructive concept in international politics, is basically of secondary importance, with its operational scope limited to situations in which a rough balance of power prevails. Any estimate of its usefulness must be undertaken on the assumption that maintenance of a balance of power, in the present multilateral sovereign state system, is a vital prerequisite for the prevention of war. Thus the stabilizing effect of neutralization in international relations can best be judged by the contributions it makes toward maintaining an equilibrium in the balance of power.

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[3] James L. Brierly, *Law of Nations*, 2nd ed. (Oxford, 1936), p. 95.

[4] Hersh Lauterpacht, *Oppenheim's International Law*, 6th ed., 2 vols. (London, 1935), Vol. 1, p. 201; James H. Marshall-Cornwall, *Geographic Disarmament* (London, 1935), p. 46. Thomas J. Lawrence, *Principles of International Law*, 7th ed. (Boston, 1923), pp. 590–92, discusses the ambiguous uses made of the term "neutralization."

[5] Malbone W. Graham, Jr., "Neutralization as a Movement in International Law," *American Journal of International Law*, Vol. 21, pp. 79–94, at p. 81 (Jan., 1927).

[6] In addition to Switzerland, Savoy, Moresnet, and Cracow were neutralized.

[7] Lassa F. L. Oppenheim, *International Law*, 2 vols. (London, 1905), Vol. 1, p. 144, maintained that "neutralized states . . . are a product of the nineteenth century only and it remains to be seen whether neutralization can stand the test of history."

[8] These are detailed in Green H. Hackworth, *Digest of International Law*, 8 vols. (Washington, 1940), Vol. 1, pp. 69–73.

[9] Belgium and Luxembourg were invaded by Germany, while the inviolability of Corfu and the Congo was violated by the Allies.

A study of the feasibility of neutralization therefore depends in great part on an analysis of the use that major powers can derive from its application. Equally important, however, is an estimate of the risks encountered and benefits derived by small powers, the actual subjects of neutralization. Reference to the workings and failures of previous endeavors may indicate what conditions are most suitable for neutralization, and what type or form has the best prospect of durability.

I. THE LARGE POWERS AND NEUTRALIZATION

The impetus for employing neutralization comes, not from the small states, but from their more powerful neighbors. The latter, during a period of relative balance, are motivated by the desire to eliminate latent threats inherent in the power vacuum caused by the existence of these weaker states. The major factors which determine the neutralization of a state are its relatively small size and geographic location in a strategic position. Its fate, essentially beyond the small state's control, is of great interest to important neighbors who fear the consequences of its falling into the hands of potential enemies.[10] Neutralization is not applicable, however, in countries located well within the orbit of one power.[11] There is a tendency to terminate it peacefully in an area no longer considered a potential sore spot, or where the pressure of contending forces has relaxed.[12]

Resort to neutralization in a critical zone of rivalry has often been motivated by what we would call a policy of "containment." In order to thwart the territorial ambitions of an expansionist power, a solution of committing it, along with others, to respect the neutrality of a small neighboring state may prove effective. In 1815, Sardinia, Holland, and Switzerland were bolstered as a means of containing France without strengthening a rival great power. The central importance of Switzerland was acknowledged by a multilateral treaty guaranteeing both its territorial integrity and perpetual neutrality.[13]

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[10] George G. Wilson, "Neutralization in Theory and Practise," *Yale Review*, Vol. 4, pp. 474–86, at p. 481 (April, 1915). Roberto Regala, *Neutralization and the Philippines* (Manila, 1935), in discussing neutralization of the Philippines, points to their strategic location and the need to maintain an equilibrium in the balance of power (p. 16).

[11] The neutralization of Honduras in 1907, at the suggestion of the United States, was intended to keep Central America at peace and thereby forestall any occasion for European intervention in the Panama Canal area. In 1923, when the Western Hemisphere seemed secure, the status was dropped.

[12] Quincy Wright, "Neutralization of Corfu," *American Journal of International Law*, Vol. 18, pp. 104–8, at pp. 104–5 (Jan., 1924). Neutralization still applied to Corfu and Paxo, but not to the United States of the Ionian Islands after Greece annexed them in 1864. See Marshall-Cornwall, *Geographic Disarmament* (cited in note 4), p. 32, on the status of Cracow, neutralized from 1815 to 1846.

Even where the danger of hegemony is not of immediate concern, neutralization can relieve tensions created by unexpected developments. When the Belgian revolution of 1830 broke the Dutch dike against France, neutralization proved a safer recourse than forced reunion with Holland or complete freedom which might have led to union with France. This solution, sponsored by England and Prussia, was guaranteed by all the major European powers.[14] Luxembourg, when similarly guaranteed, no longer served as a major irritant in French-German relations.[15]

Once in effect, neutralization can also serve to lubricate and smooth the operation of day-to-day diplomacy. For it gives legal right to signatory countries not otherwise directly involved in a dispute to oppose attempted revision of an earlier compromise. This procedure can effectively handle outward thrusts of power and attempts to upset an equilibrium, without signifying "undue" interference, when no state believes it has achieved a preponderance of power.

Since Russian diplomacy has been marked by intense suspicion, and, when it suits Soviet purposes, by a strict interpretation of legal rights and duties, the lever of intervention offered by a multilateral guarantee of neutralization would be most salutary. In practice, it would be analogous to the present multilateral treaty regulating the control of the Dardanelles which allows Turkey, under Russian revisionist pressure, to appeal to other signatories and receive their stiffening support.[16] Similarly, Soviet requests for bases on Spitzbergen were countered by Norwegian reminders that such a move would violate the demilitarization treaty of 1920.[17] In addition, signatories can control the changes that do occur, and negate attempts to alter significantly major power relationships. The knowledge that a change in status will entail concessions on some other point could in itself act as a deterrent to revision.

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[13] In the case of Switzerland, it is debatable whether it was neutralized or whether its self-imposed perpetual neutrality was merely recognized. See F. W. Baumgartner, *Neutralization of States* (Bulletins 24 and 25 of the Departments of History and Political and Economic Science, Queen's University, Kingston, Ontario), Bull. No. 24, pp. 5-36; Gordon E. Sherman, "Neutrality of Switzerland," *American Journal of International Law*, Vol. 12, pp. 241-50, 462-74, 780-95 (April, July, Oct., 1918).

[14] Efforts to check Russian expansion resulted in the military neutralization of the Black Sea and the Aaland Islands in 1856. See Johan O. Söderhjelm, *Démilitarisation et Neutralisation des Iles d'Aland en 1856 et 1921* (Helsingfors, 1928); and Charles N. Gregory, "Neutralization of the Aaland Islands," *American Journal of International Law*, Vol. 17, pp. 63-76 (Jan., 1923).

[15] Karl Strupp, *Neutralisation, Befriedung, Entmilitarisierung* (Stuttgart, 1933), pp. 98 ff.; Gordon E. Sherman, "Permanent Neutrality Treaties," *Yale Law Journal*, Vol. 24, pp. 217-64, at p. 238 (Jan., 1915). On the other hand, the intensity of the Austro-Serbian dispute, and its relation to great power rivalries, so overshadowed the six-power guarantee of Albania in 1913 that the treaty was discarded within one year.

[16] See Ahmed S. Esmer, "The Straits: Crux of World Politics," *Foreign Affairs*, Vol. 25, pp. 290-302 (Jan., 1947).

[17] *The New York Times*, Jan. 10-12 and 13-18, 1947.

Neutralization likewise reflects recent efforts in international law to define aggression and judge the legality of any use of force by procedural rather than less tangible substantive criteria. The definite time-and-space obligations created by a treaty of neutralization greatly simplify that task.[18] It has even been argued that violation of a neutralized zone would "furnish a particularly clear and objective basis for judgment: it would be founded on the violation of a definite provision of international law; it would facilitate the reaching of a decision by the guaranteeing states and it would make certain the foundation of a coalition against an attacking power."[19]

Although a definition of aggression is important, the central issue remains the reluctance of states to take up arms against an obvious aggressor when their own interests are not immediately affected. In this context, neutralization received strong support because it was held to possess significant deterrent value:

> The intention underlying both the collective and individual guarantees was that a sufficient number of powers should be involved in a share of the responsibility for preserving the integrity of the neutral territory in question; the moral pressure of public opinion or the actual fear of powerful military intervention would, it was hoped, deter any one power from violating an arrangement which was made in the interests of the greater number.[20]

The great reliance on guarantees of perpetual neutrality to prevent future violations was therefore based on the definite enforcement commitments made by the large powers, who might otherwise be indifferent to or disinterested in a threat to the area in question.

The ultimate deterrent value of the threat of intervention must be judged by measuring it against the military advantages derived from a violation. Unfortunately, the one clear case in which such a problem arose could hardly be called a clinical study, since the German decision to invade Belgium in 1914 was reached, in part, because it was felt in Berlin that England would not live up to its commitments to defend Belgium.[21] This line of reasoning was somewhat curious, since England's traditional interest in the Scheldt estuary meant that the Belgian guarantee was in accord with British "high" policy. Perhaps more to the point was the German General Staff belief that British forces could not influence the military campaign in the West even if intervention was contemplated.[22]

It is precisely on fulfillment of pledges of assistance that the failure of neutralization was so pronounced. Logically, a guarantee of neutrality in perpetuity is a somewhat unreasonable procedure. Fundamental changes in the structure of interstate relations and the balance of power may occur long after the conclusion of the treaty and make fulfillment literally impossible.[23]

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[18] Quincy Wright, "Outlawry of War," *American Journal of International Law*, Vol. 19, pp. 76–103, at p. 85 (Jan., 1925).

[19] Charles de Visscher, *Stabilization of Europe* (Chicago, 1924), p. 116.

[20] Marshall-Cornwall, *Geographic Disarmament* (cited in note 4), p. 31.

[21] Although Lord Grey felt that continental military obligations were essential for British security, he failed to make this absolutely clear to the Germans. Byron Dexter, "Lord Grey and the Problem of an Alliance," *Foreign Affairs*, Vol. 30, pp. 298–309, at pp. 303–9 (Jan., 1952).

[22] See Hajo Holborn in *Makers of Modern Strategy*, ed. Edward M. Earle (Princeton, 1944), pp. 189–205.

Unwillingness to act may stem from a changed concept of one's vital interests in the problem area. When a guarantee is extended primarily to prevent a war, a signatory would not act if a conflict occurred later and the belligerent powers violated the treaty. Moreover, a blanket commitment might oblige a power to fight over an unimportant area against an ally, should the latter be an aggressor. The uneasiness engendered by this impractical rigidity was reflected in Britain's claim that it had to aid Luxembourg only in concert with all other signatories. Since this included the potential violators, France and Prussia, England's position became ambiguous, if not meaningless.[24]

Britain, logically, lacked confidence in the Belgian neutralization treaty and in 1870 concluded identical treaties with Prussia and France promising to war against the side violating Belgian territory. But even the British did not feel automatically bound to aid Belgium at any time.[25] The distant powers, Russia and Austria, quickly asserted a willingness to respect, but not defend, Belgium's neutrality, thereby diminishing the effect of their guarantee to the point of extinction.

Clearly, the efficacy of the treaty cannot be assumed to depend upon the number of guarantors committed, and a poor selection can, in fact, destroy its value. From the point of view of the large powers, before "entangling" guarantees are tendered, a careful and realistic appreciation of interests must be made, entailing chiefly a clear understanding of what areas, coming within the security zones of two or more powers, are considered vital.

Furthermore, the reliability of such arrangements depends upon periodical review and reappraisal of pledges taken.[26] Even a carefully assumed obligation will not be honored later solely on legal grounds. Only renewed support of a treaty of neutralization on the grounds of national self-interest will ensure adherence in a crisis.

The obstructive myth of perpetuity should be discarded and the value of time limitations must be freely admitted. Since all treaties face the problem of changed conditions, this qualification does not invalidate the basic utility of neutralization. Furthermore, extreme caution and flexibility must be exercised in the choice of areas, if neutralization is to support the balance of power and serve to maintain peace. Indiscriminate application in situations in which it had little or no chance of success has greatly harmed its prospects elsewhere.[27]

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[23] F. W. Baumgartner, *Neutralization of States* (cited in note 13), Bull. No. 25, p. 26.

[24] Harold J. Tobin, "Is Belgium Still Neutralized?", *American Journal of International Law*, Vol. 26, pp. 514–32, at p. 523–24 (July, 1932).

[25] Prime Minister Gladstone in House of Commons, Aug. 8, 1870, cited in Wilson, "Neutralization in Theory and Practise" (cited in note 10), pp. 478–80.

[26] See Quincy Wright, *A Study of War*, 2 vols. (Chicago, 1942), Vol. 2, pp. 785–86.

[27] The term was unfortunately used as a palliative to soften an onerous servitude when the Black Sea was "neutralized" in 1856. Sir Thomas E. Holland, *Studies in International*

II. NEUTRALIZATION AND THE SMALL STATES

An important security consideration to the guaranteeing powers, neutralization involves the very survival of the smaller states. The latter must weigh evident benefits of neutralization against its far-reaching implications, the fear of inferior status, and the danger of involvement in great power rivalries. Serious though the risks may be, a realistic analysis indicates that small powers alone are quite incapable of defending themselves, and in fact depend largely for their existence upon great power tensions and rivalries.[28] Any refinement and legal codification of that condition could conceivably add to their security. Neutralization would also afford them an opportunity to obtain recognition of the fact that they do not want to become involved in the vicissitudes of international politics.

The effect of neutralization upon the legal and sovereign rights of small nations is of considerable importance. The chief restraint imposed on neutralized states is the removal of the rights to go to war and to enter into alliances or treaties of guarantee which might cause them to fight in defense of territory other than their own.[29] These restrictions help the neutralized states avoid conflicts and so do not seem to be unbearable burdens. In addition, it has been widely held that neutralized states cannot cede or annex any territory without the consent of the guaranteeing powers, since these actions alter their international position.[30]

In other matters the neutralized state should not be further restricted since it must retain control over its domestic and foreign affairs. Neutralization, then, should have no detrimental influence over the legal rank and position of the guaranteed state.[31] The latter is free to make trade, customs, and other agreements with foreign powers and can even rule over colonial possessions.

A guaranteed state has the right to arm and to fortify its frontier, for a nation must be prepared to defend itself to the best of its ability if neutralization is to have any meaning.[32] Deployment of armed strength, however, must be executed in as impartial a manner as possible. Germany argued that the Belgians had violated their neutrality in 1914 by concentrating their main defense works along the German border, though the majority of their routes of communication were with France. Moreover, defense preparations were made in consultation with the British. In 1939, Switzerland distributed its

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Law (Oxford, 1898), p. 275; Sir John Fisher Williams, "The Permanence of Treaties," *American Journal of International Law*, Vol. 22, pp. 89–104 (Jan., 1928).

[28] Edgar Bonjour, *Swiss Neutrality* (London, 1946), p. 18, acknowledges this explicitly.

[29] It can be argued that the restriction on war destroys state sovereignty. Paul Schweizer, *Geschichte des Schweizerischen Neutralitat* (Frauenfeld, 1895), insisted that Switzerland always had the right to make any treaties it wished. Cyrus F. Wicker, *Neutralization* (London, 1911), pp. 57–58, maintained that only defensive alliances were permissible.

[30] Strupp, *Neutralisation, Befriedung, Entmilitarisierung* (cited in note 15), pp. 279–89; Emanuel Descamps, *L'Etat Neutre à Titre Permanent* (Paris, 1912), pp. 215–17.

[31] Lauterpacht, *Oppenheim's International Law* (cited in note 4), p. 203.

[32] The dismantling of the great fortress of Luxembourg—for the reason that the Grand Duchy was too valuable to fall into French or Prussian hands—was an exception.

troops evenly along its French and German frontiers, although the danger lay in only one direction.

It can be concluded that servitudes and impairment of sovereignty are not to be found in the obligations of neutralization as these are legally defined and understood today.[33] Anxiety arises from the persistent fear that neutralization makes a state inferior to others. Historically, the imposition of neutralization on states contributed greatly to this belief. For example, Belgium was not even consulted, and opposition to neutralization there, at least initially, was quite strong.[34]

Other dangers lie in the imposition of unsound restrictions and the attempt by powerful neighbors to use the treaty as a lever for prying into the internal affairs of the guaranteed state.[35] Proponents of the sovereignty of small states devised a theory of "autonomous neutralization": perpetual neutrality resulted only from the volition of a state, with international guarantees merely recognizing an existing fact.[36] This concept of self-neutralization places no international obligations or restraints upon neighboring states and therefore has little political or legal value.[37] Still, this theory underlines, in exaggerated fashion, the need for the guaranteed state to desire this status if neutralization is to work effectively. The more deep-rooted it is in the history of a state, the more the nation's leaders will strive to maintain neutrality in an international crisis.[38]

In brief, then, an effective guarantee must satisfy the neutralized state by restricting only its freedom to engage in hostilities and to gain or cede territory. It must be applied to a state which is willing to protect and defend its guaranteed inviolability. Moreover, the guaranteeing states should be unambiguously committed to a treaty of the "respect and cause to be respected" type, which theoretically signifies efficient sanctions.[39]

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[33] Clair F. Littell, *Neutralization of States* (Meadville, Pennsylvania, 1920), and Helen Reid, *International Servitudes in Law and Practise* (Chicago, 1932), p. 229.

[34] Belgium was neutralized to "maintain the peace, repose and good order of Europe" according to the Prussians. Tobin, "Is Belgium Still Neutralized?" (cited in note 24), p. 523. See also a German propaganda booklet, *The Neutrality of Belgium: Its Origin and Violation* (1915), which declared that Belgium is "a state of an inferior order to those states on which neutrality is not imposed" (p. 7).

[35] Austria, for example, tried to deprive Switzerland of its right of asylum and to prevent the creation of a federal republic. Bonjour, *Swiss Neutrality* (cited in note 28), pp. 70–71, 79, 101.

[36] Stewart M. Robinson, "Autonomous Neutralization," *American Journal of International Law*, Vol. 11, pp. 607–16, at pp. 607–8 (July, 1917). The most ambitious project was that advanced by Fedor de Martens, "La Neutralisation du Danemark," *Revue des Deux Mondes*, 5th series, Vol. 18, pp. 314–35, at pp. 333–35 (Dec. 15, 1903). He proposed a barrier of self-neutralized states northward from Belgium.

[37] Wilson, "Neutralization in Theory and Practise" (cited in note 10), p. 483, outlines a plan by the Interparliamentary Union in 1911 to give some outside support to perpetual neutrality, which is highly unstable as a unilateral statement. Neutralization seemed detrimental enough so that Honduras formulated a "voluntary" declaration of perpetual neutrality in order to preserve its honor and integrity. See Salvador R. Gonzalez, "Neutrality of Honduras and the Question of the Gulf of Fonseca," *American Journal of International Law*, Vol. 10, pp. 509–42, at p. 511 (July, 1916).

[38] This point, however, has been unduly stressed at the expense of geographic-strategic considerations in contrasting the history of Swiss and Belgian neutrality.

Appraisal of the benefits of neutralization has been made difficult by the extravagant claims that it frees small states from the dangers of aggression and the heavy burden of military preparations. It was even held that as the number of neutralized states grew, the possibilities of war would become more remote in geometric proportions.[40] After such grandiose pretensions, the events of 1914 brought neutralization under sharp attack. Defensive alliances were preferred because they seemed to give more protection and imposed no legal restrictions. This trend away from neutralization compacts was symbolized in the French-Belgian alliance of 1921. In theory, an alliance differs entirely from the concept of neutrality and its implied hope of avoiding war; in actual practice, the small vulnerable state expects its ally to be at least a match for a potential aggressor and thus prevent war.

Alliances also suffer from rigidity and are no more reliable than a neutralization agreement when radical changes shake the balance of power. As evidence of this we have only to recall the wholesale abrogation of treaties after 1932: France's abandonment of its own post-1918 alliance system, Switzerland's flight to neutrality after participating in the ill-fated League sanctions of 1935, and Belgium's withdrawal from the 1921 agreement.[41]

In the last analysis, the value of both neutralization and alliances to a small state depends upon the ability and willingness of the "protector state" to honor its pledge. There is no justification for concluding that an alliance is more reliable than a carefully considered commitment to support the neutralized status of a small state. It can even be argued that, where applicable, a multilateral guarantee of neutralization is more reassuring to the guaranteed state. It signifies mutual obligations which cannot be avoided merely by a unilateral change in intention, as well as the identity of interests found in alliances.[42] More respect for the guarantee of neutralization, or at least for the law behind it, has been shown than for alliances. Germany eventually admitted that its campaign of 1914 violated the Belgian and Luxembourg treaties of neutralization, and the Weimar Republic did not consider unjust, as it did other exactions, indemnities imposed on these grounds.[43]

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[39] Graham, "Neutralization as a Movement in International Law" (cited in note 5), p. 91.

[40] See Erving Winslow, *Neutralization: America's Opportunity* (Boston, 1912), pp. 8–9; and "Neutralization," *American Journal of International Law*, Vol. 2, pp. 366–86 (April, 1908); Camille Piccioni, *Essai sur la Neutralité Perpetuelle*, 2nd ed. (Paris, 1902), pp. 175–76.

[41] See the report drawn up by the Commission of Information constituted by His Majesty Leopold III on July 14, 1946, "The Belgian Tragedy," *Entente*, Vols. 75–76, pp. 6–39 (1948). See also Charles C. Hyde, "Belgium and Neutrality," *American Journal of International Law*, Vol. 31, pp. 81–85, at p. 82 (Jan., 1937); Hans Morgenthau, "End of Switzerland's Differential Neutrality," *American Journal of International Law*, Vol. 32, pp. 558–62, at pp. 558–60 (July, 1938).

[42] Wicker, *Neutralization* (cited in note 29), p. 61.

[43] "Comments by the German Delegation on the Conditions of Peace," *International Conciliation*, No. 143, pp. 1203–1339, at p. 1259 (Oct., 1919).

III. PRESENT APPLICABILITY

To determine the applicability of neutralization treaties today involves more than an analysis of their intrinsic merit. Account must also be taken of the changed attitude toward neutrality which has arisen since neutralization was developed in the nineteenth century.[44] Then, neutrality was an enviable position duly recognized in international law, and neutral rights were strongly defended by non-belligerents, especially the United States. In that era all belligerents were equal before the law, and their wars were looked upon as unavoidable facts of international life. Involvement, under these circumstances, could be judged in the national interest as wise or foolhardy. But the drive to outlaw aggressive wars after 1918 led to a new outlook: that wars were struggles between aggressors and those nations whose rights were violated.[45] If belligerents are considered criminals or policemen, neutrality, which thus means indifference to the successful prosecution of a crime, comes to be regarded as obsolete or even immoral. In such a frame of reference, the general serviceability of neutralization seems to vanish.

Of even greater importance has been the development of international organizations to prevent or punish criminal resort to war. Ideally, organized efforts at collective security enable large powers to quell violations of the peace and still afford small states ample protection. The security which the League of Nations seemed to offer was attractive enough to induce even neutral powers to drop their precarious impartiality and join its ranks.[46]

Under the Charter of the United Nations, all but the "veto nations" apparently surrendered to the Security Council the right to direct the use of their armed forces. This revolutionary step may have been based upon the assumption that major power agreements would ensure successful action, whereas disagreements would mean a veto, thereby allowing the small states freedom of decision. The likelihood that a "concert of powers" system would be unable to operate effectively is emphasized by this inability to make legal provision for joint collective action by the remaining states, should one major power oppose a decision to act.

The new American security program in Europe and the Far East shows a marked shift from dependence on *global* collective security toward the adoption of regional alliance structures based on the principle of collective self-defense. Heavy reliance for freedom of action is placed upon Article 51 and the "inverted veto," which can prevent the Security Council from blocking joint defensive operations. The legitimacy of this position is not questioned, for surely the Charter cannot be construed as an instrument to facilitate the plans of an attacking force. But it appears equally certain that this theory of action underscores the weakness, not the strength, of the concept of collective security as originally understood.[47]

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[44] V. M. S. Crichton, "The Prewar Theory of Neutrality," *British Yearbook of International Law*, Vol. 9, pp. 101–11 (1928).

[45] James L. Brierly, *The Outlook for International Law* (Oxford, 1944), pp. 78–82, discusses this point.

[46] Bonjour, *Swiss Neutrality* (cited in note 28), pp. 112–14, points out the closeness of the Swiss vote to join the League and the deep regard Switzerland had for its impartial neutrality.

The Korean War involved collective action under the Charter in most bizarre circumstances, but without invalidating the argument that collective security is not a practical policy in international affairs. The term itself has come to signify simply an anti-Communist coalition. It can be emphatically argued, as this writer would, that it is in the interests of all non-Communist states to join forces under this banner. But the record clearly demonstrates that collective military measures were not unanimously undertaken even within the free world, in spite of the powerful argument that a universal response to the United Nations' call for aid to South Korea would have had overwhelming psychological and military effects. Moreover, at the end of three years of war, such an alignment of the non-Communist world, especially regarding Asia, seems no less remote.[48]

If a system of collective action fails to maintain the peace, and willingness to assume the necessary obligations is not generally forthcoming, it would appear erroneous to describe collective security as the paramount factor considered by individual nations in formulating their foreign policies. In the event that they find the practical application of collective action inadequate, some small states may desire to assume a posture of neutrality and perhaps have this status bolstered by the process of neutralization. For neutrality, though dethroned from a position of near-veneration, is still desirable on grounds of self-preservation. As already noted, small countries hesitate to become involved in disputes when defeat of the aggressor is doubtful. Moreover, few join the aggressor when he appears to be stronger, but try to remain neutral as long as possible.[49]

It remains the task of the major powers to determine when and where an agreement on neutralization would best suit their own interests. The anti-aggression forces today cannot muster overwhelming power; however, the potential aggressors are far short of that preponderance which would induce a wholesale movement by the lesser powers to neutrality. Since the defensive forces are strong enough to permit some expectation of stability, they can agree to the neutralization of certain small exposed powers without causing or reflecting a deterioration in their position. Admittedly this entails the loss of possible allies, but one's defensive strength is not necessarily enhanced by the accretion of such uncertain and vulnerable elements. For example, the extension of the British alliance structure to include Poland and Rumania in the spring of 1939 did little to increase the security of Western and Central Europe.[50] It would appear that the status of small border states—as allies or neutralized bodies—is of less significance than the existence of an equilibrium among the major powers.

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[47] See Georg Schwarzenberger, *Power Politics*, 2nd rev. ed. (New York, 1951), pp. 513–29. The legal basis of the Russian alliance structure is also arrived at by indirection—through Article 107, dealing with protection against the defeated Axis powers.

[48] Lawrence K. Rosinger, *India and the United States* (New York, 1950), Chs. 3, 9, discusses pre-Korean War relations; Shao Chuan Leng, "India and China," *Far Eastern Survey*, Vol. 21, pp. 73–78 (May 21, 1952), describes India's attitude after June, 1950; see also Werner Levi, *Free India in Asia* (Minneapolis, 1952), Chs. 6, 7.

[49] Arnold Wolfers, "In Defense of the Small Countries," *Yale Review*, Vol. 33, pp. 201–20, at p. 215 (Dec., 1943).

From the point of view of large powers, the relaxing effect of neutralization of small, centrally located states may contribute to the maintenance of peace. Admittedly, the very existence of such small states creates a power vacuum, which is all the more acute because modern military techniques have made it most difficult to render timely assistance. They cannot be swallowed up by large powers without precipitating a crisis; nor do their own inclinations or the attitudes of their stronger neighbors make feasible a policy of combining them into larger units.[51] Their mere existence therefore creates a problem, though not an insoluble one, since the vulnerability of these nations becomes extreme only when the power relationship of the larger states becomes unbalanced. In this case no nation, large or small, is secure.[52]

In situations which are amenable to neutralization, a multilateral guarantee can reduce some of the tension, because of the certain knowledge that a potential opponent is not using such territory as a base of operations. In the highly charged environment of the Cold War, verification of proper behavior in the small state would undoubtedly necessitate clandestine investigation, by espionage and other means. However, the United Nations organization itself might well find such "police activity" within the scope and spirit of the Charter, and within the limits of its present capabilities. Perhaps the Peace Observation Commission, established under the Uniting for Peace Program, and on which Russia is represented, could be vested with such regulatory authority.[53]

In spite of the military strength of the great powers and the mobility of modern warfare, effective interdiction of small, key areas would be of considerable military and psychological value in an age in which bases for launching atomic or rocket attacks are of tremendous importance.[54] However, the territorial application of neutralization must be undertaken in a pragmatic manner, rather than approached as part of a grand design. Its feasibility must vary according to the locale and the occasion.

It does not appear that a great power like Germany can be effectively neutralized. Various publicists have argued that only unity and neutralization can reduce tension in this dangerous area.[55] Persistent Soviet proposals along these lines and the more daring Russian suggestion that Germany also be allowed to rearm further intensified this issue.[56] The Western attempt to integrate Western Germany into the Atlantic Community is, in turn, presented as a policy to prevent an independent Reich from embarking upon dangerous ventures or falling into Russian hands.[57]

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[50] See for example the critical comments of Lloyd George on this issue, *Parliamentary Debates*, Fifth Series, House of Commons, May 19, 1939, cols. 1815–18.

[51] Even the consideration of a Communist Balkan federation at Bled in 1947 by Dimitrov of Bulgaria and Tito of Yugoslavia was strongly opposed by Soviet Russia.

[52] See Wolfers, "In Defense of the Small Countries" (cited in note 49), pp. 211–12. This can be used as an effective counter-argument to the proposition advanced by Nicholas J. Spykman, *America's Strategy in World Politics* (New York, 1942), pp. 20, 461–63, that the days of the "power vacuum" small state are numbered.

[53] The Peace Observation Committee is to "observe and report on the situation in any area where there exists international tension, the continuation of which is likely to endanger the maintenance of international peace and security." Resolution adopted by the General Assembly, Nov. 3, 1950, Resolution A, Part B, No. 3.

[54] On technical developments see James Baxter, *Scientists Against Time* (Boston, 1947), Ch. 13, and Vannevar Bush, *Modern Arms and Free Men* (New York, 1949), Chs. 8–10.

Evidently, the temptation on both sides to dominate so great a prize as Germany would be so strong that neither would allow a neutralization guarantee to control its policies. The alignment of Germany on one side or the other would bring such rich rewards in terms of the effect on the balance of power that an effort to neutralize it would strain the utility of this device to the breaking point. Moreover, Germany cannot be compared to a small, non-aggressive state with no revisionist demands or ability to impose its will upon others. Even if Germany stayed aloof from Cold War entanglements, its neighbors would be concerned over its foreign policy to a degree which would make neutralization an essentially unreal status.

Austria and Korea, two small partitioned states, offer more fruitful soil for consideration. Regardless of original purpose, the very act of partition and the extension of wartime pledges to restore the independence of these states reveal the deep interest of the major powers in their fate. Austria is evidently too important strategically for Russia to accept a peace treaty which would both end its zone of occupation and free the Austrians to join an American alliance.[58] The problem is simplified by the original Soviet approval of a single Austrian government. Without an Austrian Communist government, there is no question of the loss of terrain or prestige which would be involved if "Communist territory" had to be yielded.

The relative clarity of the Austrian issue merely accentuates the difficulties in Korea. It is also a locale of strategic importance, although this appreciation was overshadowed by the ideological overtones of the U.N. action there.[59] The difficulty of unifying the country during the Cold War has been infinitely magnified by events since 1950.[60] Yet the Korean War has revealed the existence of a balance of power and the inability of either side to gain control over a peninsula which has become invested with so much geographic and symbolic importance. The intensity of the ideological and political hostility which exists between the two Koreas, the aggressive use of force by the North, and the expansionist aspirations of the South clearly indicate that a "coalition" or a peacefully unified state is unlikely to occur.

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[55] Two leading exponents of this view were Walter Lippmann and James Warburg.

[56] Soviet Russia proposed the unification, demilitarization, and neutralization of Germany in notes of Nov. 3, 1950 and Feb. 5, 1951. See also Mr. Gromyko's statement at the Paris Big Four meeting on March 5, 1951. The issue of an armed neutralized Germany, brought up in the Soviet peace treaty draft, was again emphasized in the Soviet note of April 10, 1952. See *New York Times* for dates cited.

[57] The Department of State, *Germany 1947–9*, Publication 3556 (1950), gives a detailed, documentary account of the political development of Western Germany.

[58] There have been over 260 sessions held on an Austrian treaty. See for example the charge by General Suiridov of Sept. 27, 1951 that the West was creating a war bridgehead in Austria. *New York Times*, Sept. 28, 1951. See also the Western note of March 13, 1952 on an abbreviated treaty and the Soviet rejection note of Aug. 15, 1952.

[59] The position of the U. S. Joint Chiefs of Staff, as expressed in a note of Sept. 26, 1947 by James Forrestal, that America had little strategic interest in maintaining troops and bases in South Korea, was qualified by the remark that our military position would be impaired if a Soviet assault could be mounted against Japan from South Korea. See *New York Times*, Nov. 3, 1952.

There is no absolute obstacle to neutralizing both halves of a partitioned Korea and keeping each sector from operating as a base for a major power or planning further warfare against the other. United Nations policy and the economic and military dependence of South Korea upon foreign aid may influence that government's program. However, there is the question of getting a Communist state to accept foreign intervention of any sort. The problem should not be minimized, but the Korean case is in a class by itself since neutralization can be tied in with an international settlement of the war. Under such circumstances "foreign intervention" would not appear as a gratuitous gesture. Certainly some radical solution is required to bring stability to a partitioned, unhappy peninsula which is the focal point of attention of four major powers—Soviet Russia, Japan, China, and the United States.

The temporary neutralization of Iran at the Teheran Conference of 1943 indicates that such a step may be useful in this troubled land. Historically, Iran has been in the twilight area where Russian and British spheres were regulated by a series of *ad hoc* accommodations.[61] In view of the vulnerability and strategic importance of Iran today, and in light of the present popular temperament, a position of neutrality by treaty would appear to benefit the major powers as well as the guaranteed state itself. In terms of locally oriented problems, the disposition of the oil issue is the most difficult task. The present American attitude would prevent a package deal which tied neutralization to a multilateral agreement to share petroleum production; however, should the Western position deteriorate further, such an arrangement would not be so far-fetched.[62] Neutralization can operate basically within the framework of a rough equilibrium of power, not only on the international scene but also as reflected in domestic Iranian affairs and in the Iranian conception of its foreign policy. Within such a broad outline the oil negotiation may be used, not as an aggravating factor, but an an additional instrument to attain a settlement through detailed adjustments of conflicting national interests.

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[60] See Department of State, *Korea 1945 to 1948*, Publication 3305, Far Eastern Series 28 (1948), especially the addresses of Andrei Gromyko and John Foster Dulles on the establishment of the United Nations Temporary Commission on Korea. (Annexes 6 and 7, pp. 51–65.)

[61] See for example Rogers P. Churchill, *The Anglo-Russian Convention of 1907* (Cedar Rapids, 1939), pp. 212–68.

[62] This likelihood would increase should the Soviet economy reach a stage in which "ruble diplomacy" could operate in Iran in the form of monetary loans, sales of essential materials, and efforts to purchase oil.

Another possibility along the extended southern line of containment is the new state of Burma, at present vigorously inclined toward "neutrality in the Cold War." This attitude stems from a deep-rooted antagonism to imperialism and reflects strong xenophobic tendencies, though these are not as vitriolic or explosive as in Iran. The government is modifying its extreme position of total isolation from the West and is cautiously engaging in some economic and cultural contacts.[63] It can be argued that statutory recognition of Burma's desire for neutrality might alleviate its fears of entanglement and so strengthen the country's non-political ties with Britain and the West. If tactfully approached, this policy may further accelerate the growing stability of Burma's democratic regime, and thus contribute to the security of a state which is only now emerging from a long civil war.[64]

The central location of Burma makes its fate of interest to the Big Three as well as to India and China. The role of India is of paramount importance and the lead in this matter may well fall in its direction. Seemingly, the safety of Burma is of direct and vital concern to the Indian government; yet the latter's neutralist tendency, indecision, and fear of joining a bloc have led it to avoid even a purely regional defense pact for Southeast Asia. India is hesitant even to commit itself to the support of Burma's independence and territorial integrity.[65] Perhaps this project would be the most effective means of drawing India out of its shell, and make the act of neutralization feasible by giving it realistic support in terms of the existing power relationships in that part of the world. Thus a South Asian equilibrium in the balance of power may be crystallized by means of a pacific measure to guarantee the existence of a small, vulnerable state.

At the other geographic extreme, the stability of Scandinavia may be furthered by the neutralization of Finland. The key state here is Sweden, whose successful tradition of neutrality was reflected in its effort, during the N.A.T.O. negotiations, to draw Norway and Denmark into an independent defensive bloc.[66] One reason for the absence of a "people's democracy" in Finland may be that it might induce Sweden to terminate its neutral status. As the European military situation draws closer to a balance, Russian interest in Swedish neutrality may increase further.[67]

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[63] See Werner Levi, "Union in Asia?", *Far Eastern Survey*, Vol. 19, pp. 144–49, at p. 146 (Aug. 16, 1950); and Maurice Zinkin, *Asia and the West* (London, 1951), pp. 103–7.

[64] On the internal problems of Burma see James S. Furnivall, "Twilight in Burma: Reconquest and After," *Pacific Affairs*, Vol. 22, pp. 3–20 and 155–72 (Mar., June, 1949); Edward M. Law Yone and David G. Mandelbaum, "Pacification in Burma," *Far Eastern Survey*, Vol. 19, pp. 182–87 (Oct. 11, 1950), and "The New Nation of Burma," *Ibid.*, pp. 189–94 (Oct. 25, 1950).

[65] See for example Vidya Prakash Dutt, *India's Foreign Policy* (New Delhi, 1950), p. 45, on India's opposition to making any military commitment, though "deeply interested in the security of the Pacific region."

[66] Bruce Hopper, "Sweden: A Case Study in Neutrality," *Foreign Affairs*, Vol. 23, pp. 435–49 (April, 1945); Herbert Tingsten, *The Debate on the Foreign Policy of Sweden 1918–1939* (London, 1949), pp. 174–218. On Sweden's negotiations with Denmark and Norway, see *The New York Times*, Jan. 7, 8, 12, 13, 30, 31, 1949 and Feb. 13–16, 19, 22, 1949.

Swedish opposition to a violation of a neutralized Finland would not be as serious as a similar Indian response with regard to Burma. Still, it is the strongest Scandinavian power and possesses an efficient, modern air force.[68] Moreover, neutralization depends upon overall interests which deter signatories from carrying a rivalry into a specific locale, as well as upon the sanctions which can be directly applied there. An attempt to neutralize Sweden itself, however, would be politically impractical. Unlike states victimized by the two world wars, Sweden, like Switzerland today, would consider such an act an unwarranted interference in its domestic affairs.

The case of Finland brings to mind Czechoslovakia, the state with which it was coupled in the mind's eye before 1948. The stunning subversion of that democracy raises the question of whether neutralization is at all possible with the danger of internal Communist pressure so prominent.[69] However, Communist party efforts to bring states into the Soviet orbit will continue in any event, and will be no less dangerous if the device of neutralization is not applied. A multilateral guarantee of neutrality might even have some curative value by outlawing efforts to subvert a government in the interests of a foreign power. Past experience with Soviet treaty guarantees of this sort would certainly give no grounds for hope that such abstentions would be forthcoming. Nevertheless the United Nations might be given "watchdog jurisdiction" in this matter as well as in the field of clandestine bases of operations. Moreover, other signatories to the treaty of neutralization would have served notice that such action would affect their vital interests and that countermeasures might be forthcoming. Neutralization thus would not encourage acts of subversion and might even serve as a deterrent factor.

The chances of neutralizing a Russian-oriented Communist state at present are far-fetched because of the proximity of these nations to the Soviet frontier, the interior lines of strategic communication enjoyed by the Soviet bloc, and the very tight control exercised from Moscow throughout the satellite area. In the future, however, Soviet policy might lead to extended commitments in certain areas, and the power available to retain full control over another sensitive region might not be forthcoming. Simply by way of a hypothetical example, further adverse developments in the Balkans may beset Russia during a period of grave anxiety in the Far East or Central Europe. Under such circumstances, the neutralization of Bulgaria might not be completely beyond the realm of possibility. Parenthetically, it may be observed that a neutralized Yugoslavia today would certainly have been an improvement, from the Soviet standpoint, over events as they developed after the break with Tito.

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[67] See, however, Arthur Spencer, "Soviet Pressure on Scandinavia," *Foreign Affairs*, Vol. 30, pp. 651–59 (July, 1952).

[68] See *Jane's All the World Aircraft 1948*, ed. Leonard Bridgman (London, 1948), pp. 19a, 199–204 c.

[69] Ivo Duchacek, "The Strategy of Communist Infiltration: Czechoslovakia 1944–1948" and "The February Coup in Czechoslovakia," *World Politics*, Vol. 2, pp. 345–72 and pp. 511–32 (April, July, 1950); Barry Brannen, "The Soviet Conquest of Rumania," *Foreign Affairs*, Vol. 30, pp. 466–87 (April, 1952). Cf. Arthur Spencer, "Finland Maintains Democracy," *Foreign Affairs*, Vol. 31, pp. 301–9, at pp. 302–5 (Jan., 1953).

The theory and practice of neutralization, as here posited, must not be confused with the potentially disastrous implication of a *neutralist* policy. This latter approach would cut deeply into the non-Soviet camp and ruin any chance for the free world to reach parity with the Soviets in the field of military strength. Clearly, the liberal application of neutralism can serve to wreck the free world through faint-heartedness.[70] But to attribute these drawbacks to neutralization is to use the doctrine of guilt by association. Neutralization of potential or actual centers of friction would not diminish the chances of attaining a balance of power but might rather reflect and reinforce such an equilibrium.

To match power with power all along the great East-West frontier is simply to invite greater friction and conflict along these marchlands. To separate the direct impact of power wherever possible through the device of a neutralized buffer may well be a contribution to peace, if undertaken when a general balance of power prevails.

This is not to say that neutralization is now feasible at all suggested points. The popularity of a universalist collective security through the United Nations does not create a favorable atmosphere at present. Nor would neutralization protect the inviolability of a guaranteed territory once a war broke out, all the less so because of the very great value it would have as a base of operations. Nevertheless, for the stabilizing and constructive role it can play, neutralization is worthy of careful reassessment and practical application in the future.

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[70] The danger of neutralism was noted in the *First Annual Report to the Standing North Atlantic Treaty Organization* from General of the Army Dwight D. Eisenhower, Supreme Allied Commander, Europe (Paris, 1952), p. 9. See also Royal Institute of International Affairs, Study Group, *Atlantic Alliance* (London, 1952), pp. 16–24.

THE DEVELOPING FIELD OF INTERNATIONAL LEGAL STUDIES

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In the academic year 1939–40, it would have taken a hardy prophet to forecast that the field of international legal studies was destined soon to become a major growing point in American legal education. Yet, for that reason and because it was the last year before World War II registered its impact on law school faculties, students, and even curricula, it provides a useful baseline from which to measure the developments that have since been taking place in this field among American law schools.

The law school work offered in 1939–40 which could be fitted within the category of international legal studies was represented by courses and seminars in International Law, Comparative (and Roman) Law, and Conflict of Laws.[1] A brief survey of these offerings will lay bare the grounds for pessimism as to the prospects for progress at that time.

The Discouraging Situation in 1939–40. The study of International Law had received great impetus after World War I when the long debate over the League of Nations and World Court, plus the host of issues arising out of the War itself, gave the subject both widespread current interest and considerable professional importance. During the twenties law teachers took an active role in the intellectual development which came in response to these stimuli and joined, under the leadership of Judge Manley O. Hudson, in the magnificent cooperative enterprise which came to be known as the Harvard Research in International Law. Begun in 1927, this was carried forward over a span of 12 years; indeed, in 1939–40, some work was still continuing on the Research. However, the thirties, with their steady deterioration in world relations, had taken their toll. The vision and enthusiasm of the twenties had been dimmed, if not extinguished.

An index to the attitude prevailing in 1939–40 is the number of courses in International Law then being offered in American law schools. In that year, of the 90 law schools in the United States that were members of the Association of American Law Schools, only 18 offered courses in International Law. Moreover, young men had not been coming into the field as teachers. Of the 22 professors and lecturers listed as teaching the 18 courses, only five were under forty years of age. Although I do not have the data, I am sure that the number of students per course was generally small.

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[1] The term "international legal studies" has not been generally employed in legal education. At the Harvard Law School we have resorted to it in response to our need for a term sufficiently comprehensive to include work in these three subjects and in some new areas for law study into which we have been venturing. Our conception, moreover, is broad enough to cover the study, say, of American corporation law by a Swedish legal scholar or of Swedish corporation law by an American scholar. Inevitably either scholar's efforts involve the process of comparison and some progress toward international understanding. In other words, legal studies may be rendered "international" by reason of the nationality of the persons engaging in them.

International Law stood in isolation from the rest of the law curriculum. Nothing led up to it and, save in a very few schools, nothing led on from it.[2] Moreover, confined as they ordinarily were to a single course, its teachers were faced with difficult problems of development and emphasis. To have focussed attention on the crumbling edifice that had been erected to keep the peace and extend the rule of law would have involved their instruction in all the tensions of the times while diverting work from those questions which most frequently had affected private litigants and for which conventional legal materials were most abundant. The choice, not unnaturally, was to select for study substantive problems arising in the relations of states which, though significant perhaps in terms of legal doctrine or of the interests of individual citizens, usually lay apart from the vital public issues of the interwar period.

Since the course in International Law could seldom be regarded as preparatory to advanced law study in special problem areas, no such work as a rule being offered, there was little incentive to develop the subject primarily as a tool course. If emphasis could have been laid upon the processes and instrumentalities through which affairs among nations are ordered in roughly the same way that stress has been placed upon procedures in courses on Administrative Law, the lack of more challenging substantive problems might have been compensated for. However, this approach was scarcely inviting so long as there were virtually no courses or seminars in which the newly acquired tools could be put to use.

Discouraging as was the picture with respect to International Law, the outlook for Comparative Law was bleaker still, but with this difference: though International Law had at one time given promise of achieving a place of major importance in the American law curriculum, the place of Comparative Law had always been both peripheral and obscure. In the fifteen Association schools in the United States which offered instruction in that field in 1939–40, the customary offering was a single seminar, although, in four schools, work in Roman Law was also offered. Seven other schools offered instruction in Roman Law only.

The study of Comparative Law can, if successsfully pursued, equip the student with techniques for comparing his own law with the laws of other countries and also for comprehending the basic institutions and processes of other legal systems which the student cannot hope to master in their entirety. These techniques will enable the student acquiring them to work more understandingly and effectively on problems involving other legal systems and with lawyers trained in those systems. As a by-product of the pursuit of these methods, the student will also acquire some knowledge of foreign law. But pedagogical considerations will require his teacher, if able only to offer a single course, to focus

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[2] The Harvard Law School, one of the exceptions, offered only Judge Hudson's seminar in International Law Problems in addition to his main course.

on a few segments of the systems being compared, selecting those that promise the most rewarding exercises in the use of the techniques. The topics chosen will ordinarily confine the teacher to a limited range in exploring the rich relationships between the legal systems studied and the other institutions of the societies in which they exist or the values which those societies cherish.

This predicament was a real one before the war since only a single course or seminar in Comparative Law was being offered in those few schools which provided any instruction in the subject whatever. It was as if colleges were to offer instruction in French grammar but not in French literature. No doubt enrollments suffered. Moreover, since the course was offered in the final year of law study, such insights as the successful student might attain were seldom forthcoming until his chance to use them in his law school study was nearly over. Hence the full potentialities of the comparative techniques as tools for law school work, either on American problems or on those involving foreign laws, could seldom be realized and then only by a very few. The subject was commonly regarded as an ivory tower, except in Louisiana where the state's distinctive legal system required a continuous interchange between the Anglo-American and the Roman Law traditions.[3]

As for the Conflict of Laws—or Private International Law as it is generally known outside the Anglo-American system—the situation in the American law schools was quite different from that prevailing in the other two fields. All law schools offered courses in Conflicts, and in most schools these were taken by nearly all third year students. However, the courses did little to whet the student's interest in international problems or to broaden significantly his acquaintance with other legal systems. The 48 American states provided such a plenitude of legal conflicts that the bulk of the cases studied arose out of wholly American controversies. The most significant exceptions were cases involving the effect of Russian confiscation decrees and the effect of fluctuating foreign exchange rates in determinations of liability. However, the Conflicts course provided neither adequate time nor an appropriate context for developing, through the medium of these problems, any significant appreciation of the role of law in international affairs. Instead the principal concern of its devotees was either to erect comprehensive systems for choice of law or to take apart the systems which other people had erected.

The Response to the Postwar Situation. The wartime period itself was not, of course, one in which progress could have been expected of the law schools in any field; survival was their chief institutional concern. However, when the law faculties reassembled in 1946, it was evident that the intervening years had opened up a wide range of new opportunities in the international field.

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[3] The volume of useful work being done across the lines of legal systems differing in major degree was unimpressive, not only in the United States but abroad as well. In Europe the amount of work devoted to Comparative Law was far greater than in the United States, but much of the work done there involved the comparison of the laws of various Continental nations. This actually called for little more exacting comparative analysis than has long been a commonplace in law study in American law schools, where the existence of 49 American jurisdictions, plus those of the common law members of the British Commonwealth, made it a matter of course to use a comparative method within the confines of the Anglo-American tradition.

Not only had the United Nations come into being with the United States a member state, but we had large commitments throughout the world with no early prospects of their liquidation. A vast task of reconstruction impended, and it was evident that major efforts would be required to reestablish world trade on a basis that would permit the economic rehabilitation of the war-ravished countries. "Point Four" had not been enunciated, but, as is shown by the formal title of the World Bank—the International Bank for Reconstruction and Development—the nations recognized that rehabilitation was not enough and that a program of economic development would be called for.

The response to these events naturally has varied from law school to law school, depending on each school's prewar program, the composition of its postwar faculty, its library resources, and the professional opportunities open to its graduates. In the aggregate, using quantitative yardsticks, the change has been a major one. Thus, in 1952–53, out of 110 Association schools in the United States, the total offering courses in International Law was 50, and the number of teachers was 67.[4] Nearly three-fifths of them had been teaching the course for five years or less, and most of these teachers are relatively young men.

In Comparative Law, the number of law schools offering instruction had risen to 22 and the teachers to 32. This figure was offset in part by the fall in the schools offering Roman Law from eleven to six, a drop which probably reflected some shifting to Comparative Law and so may have testified to a livelier and less academic interest on the part of teachers and students.

Conflict of Laws remained a "must" course for most students, but there is little evidence that its study has been internationalized to any substantial degree. More change in subject matter has taken place in the courses on International Law into which new material on international organization has been introduced, in greater or less degree, at least in many of the schools in which separate courses in the latter subject have not been added to the curriculum. Comparative Law has also responded to the new stimuli. There is an invigorating degree of experimentation in teaching methods and materials designed to give greater vitality to the subject.[5] In a few schools work in the subject now ranges beyond the Civil Law tradition to include the comparative study of Soviet Law.[6] Moreover, a number of law schools have recently joined with the

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[4] My data are based on *Teachers' Directory—Association of American Law Schools 1952–1953* (West Pub. Co.), reinforced by a survey of a not quite complete or wholly up-to-date collection of law school catalogs. The margin of error would not be wide.

[5] In 1949 Professor R. B. Schlesinger of Cornell edited the first casebook on Comparative Law to be published. Professor A. T. von Mehren of Harvard has case materials in preliminary form, to be published next year. A number of other teachers have developed mimeographed materials for the use of their classes.

[6] Professor John N. Hazard of Columbia has been the pioneer in this development. He has prepared mimeographed "Cases and Readings on Soviet Law" (1950). Professor Harold J. Berman of Harvard uses, in conjunction with his *Justice in Russia* (Cambridge, Mass., 1950), a novel case collection published this year, Berman and Konstantinovsky, *Recollected Cases of a Soviet Lawyer* (Cambridge, Mass., 1953).

American Foreign Law Association in creating a learned society, chiefly for the purpose of publishing the *American Journal of Comparative Law*, a quarterly now completing its second volume.

A rough indication of the spread of interest in the international field can be given by listing the law schools sponsoring the new periodical.[7] The work in these schools does not follow a common pattern. At Columbia, for example, it seems to be centering in the Parker School of Foreign and Comparative Law which, after having long led a straitened existence, has been able since the war to extend its offerings. In the graduate program of the New York University Law School, the great reservoir of experts in international legal practice in New York City has been tapped to provide a wide range of offerings, some of which cut across the traditional course lines. The School also offers an intensive course in our law for a selected group of Latin American lawyers.[8] At Yale, the work has been given a distinctive cast by the use in International Law, taught (*sub nom.* The World Community and Law) by Professor Myres S. McDougal, of the analytic apparatus which he and Professor Harold Lasswell have devised[9] and by the philosphical approach to "world law" of Professor F. S. C. Northrop. The expansion of interest in the field is exemplified by the creation at Southern Methodist University Law School of "The Law Institute of the Americas."

Against these encouraging developments, some countervailing considerations must be weighed. Though the number of law schools offering International Law courses has nearly trebled, the total still represents less than half the Association schools,[10] and this despite the greatly enhanced importance of the subject. Enrollments as a rule are small; in no school is the subject required to be taken by all the students. Moreover, since in most schools only a single course is still offered, the teachers, under the resulting pressures on time, have tended to give priority to traditional subject matter against the claims of new developments less clearly "legal" in character. In Comparative Law, only one-fifth of the Association schools as yet offer instruction, and again the single offering remains common. The costs of foreign law library collections, moreover, are likely to inhibit the extension of instruction and research in this subject much beyond its present bounds.

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[7] The *Journal*, edited by Professor Hessel E. Yntema of the University of Michigan Law School, is published at that university. Sponsor members make financial contributions to its operation. The sponsoring law schools are at the following universities: California, Chicago, Columbia, Cornell, Georgetown, Harvard, Indiana, Louisiana State, Miami, Michigan, New York, Southern Methodist, and Yale. Among the sustaining members are the Universities of Puerto Rico and Utah and Loyola University at New Orleans.

[8] A recent announcement of the Institute of Comparative Law established at New York University under the direction of Professor Bernard Schwartz indicates that this program is being extended to students from other areas.

[9] For an application, in general terms, of Professor McDougal's methods to another part of the international field, see McDougal, "The Comparative Study of Law for Policy Purposes: Value Clarification as an Instrument of Democratic World Order," *American Journal of Comparative Law*, Vol. 1, p. 24 (1952).

[10] The significance of this datum may be diminished by information which I lack concerning the number of law schools giving their students credit for International Law courses offered by political science departments.

A school-by-school description of the offerings of the law schools mentioned above and the other law schools which are going beyond the still prevalent three-course pattern would reduce this article to a forbidding composite of law school catalogs. On the other hand, to superimpose generalization on the diversity of experiments which are now taking place would be to conceal those distinctive elements in the work which are most likely to give it importance. The dilemma is one from which escape may best be found in concentrating on the experience of a single school. This tactic, moreover, will enable the writer to report the developments in the only school with which he can claim full familiarity: the Harvard Law School.

Postwar Planning at the Harvard Law School. In 1946, a committee of the Harvard Law School faculty under the chairmanship of Professor Lon L. Fuller had initiated a comprehensive reexamination of the School's educational program, a study which was to result two years later in proposals for an extensive revision of the School's curriculum that has since been carried out. While that study was in process, it became apparent that the changes both in world affairs and in our country's place in them had drastically altered the needs for, and the potentialities of, international legal studies. It was also apparent that an adequate response to this change would give rise to many difficulties peculiar to this area of education and research. As a consequence, the responsibility for examining the problems of this area was reposed in a special committee of which at first Professor Fuller and subsequently the author were chairmen.

The new committee's approach to its task reflected an attitude that was already dominant in the thinking of the main committee: increased emphasis on the lawyer's function as planner, counselor, and negotiator and less on his role as advocate. With this shift in emphasis had also come a different attitude toward law itself or, more specifically, toward legal doctrine.

The systematic study of legal doctrine has so long been central to legal education that an approach which diminishes the relative importance of its mastery as an objective of study may well appear subversive of professional standards. Actually, however, the Harvard committees were merely registering a gradual but long-continued trend in interest of legal educators which perhaps can be best illustrated by the kinds of questions they are coming increasingly to ask. "What is the law?" is yielding primacy to "What is the problem?" And often the problem is not the lawyer's but the client's problem, whether the client is Mr. X, Y Inc., or the sovereign state of Z. And when the problem is identified, the "law" relating to it may or may not be clear, but, in either event, it is not likely to be decisive of the next question—the client's—"What do I do now?" Ordinarily, in discharging his counseling function, the lawyer has many avenues to explore, a variety of competing interests to identify and appraise, a number of alternatives to assess in working out ways for the accommodation of these interests. Within limits set by the law and using the instrumentalities it provides, he can seek to establish new patterns of relationships, new processes for preventing or resolving conflicts, new ways of order for his client and for those with whom his client deals. In this work there is much room for lawyer-made law.[11]

A willingness to recognize these functions of the lawyer as relevant to legal education gives rise to difficulties no law school has fully solved, and the processes of change thus inspired have in the main been molecular and interstitial. However, they have been undermining the conception of a law curriculum designed by reference to "branches of the law." Individual and social problems tend to cut across the "branches." Another consequence has been a growing recognition that to give an answer to "What is the problem?" or to "What do I do?" requires that the law teacher and student take into account a wider range of phenomena than was once thought germane to their studies. Political pressures, psychological factors, business practices, sociological and economic data and theory, all are likely from time to time to become pertinent and important.

In international legal studies, these considerations have special force.[12] The "law" is likely to be uncertain; the range of alternatives wide; and the opportunities for resort to lawyer-made law many.[13] Whether he is an adviser to a government office or to a private business concern, the lawyer is likely to have a creative function to perform which will oblige him to reckon with many factors that fall outside the traditional compartments of International Law and Comparative Law. That being the case, the criteria for planning a program of instruction and research may be formulated more accurately in terms of problem areas than branches of the law.

On this assumption, the committee sought to organize plans for the instruction and research which it wished to foster in terms of problems or problem areas to the solution of which lawyers and legal scholars might make important contributions. The efforts to devise effective mechanisms for the establishment of a just and peaceful world order presented one such problem area. The efforts to foster healthy world economic and social development provided another. Finally, the need to equip lawyers to cooperate with lawyers trained in legal systems other than their own presented a third problem area which had to be attacked at least coincidentally with the attack on the other two. Failure to establish understanding and communication across the lines of different legal systems will impede progress toward world order and economic development.

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[11] ". . . a great deal of the law under which all of us live and work in these United States is written, not by Congress and the state legislatures or by the courts and the administrative agencies, but by American lawyers, sitting in their offices, striving to carry out the lawful wishes of their clients." Cavers, "Legal Education and Lawyer-Made Law," *West Virginia Law Review*, Vol. 54, pp. 177–85, at pp. 177–78 (June, 1952).

[12] The danger that constricting conceptions of law may lead to a distorted picture of its role in world affairs is vigorously exposed by Professor McDougal of Yale in his comment on the views of Kennan and Morgenthau who deprecate the "legalistic" attitude of Americans toward international affairs. Myres S. McDougal, "Law and Power," *American Journal of International Law*, Vol. 46, pp. 102–14, at p. 103 (Jan., 1952).

[13] A few days after writing this sentence, I discussed an intricate legal problem with the general counsel of a body which has operations on a global basis. At the end of our talk, he remarked: "Of course, I always include clauses in our contracts that should make the question irrelevant." For the important interests involved, these clauses will represent the law—lawyer-made law. Cf. note 11.

Obviously areas thus broadly conceived could aid little in the practical problems of selection; they embrace a far wider range of conceivable subjects for study than any law school curriculum and research program could sensibly include. But the task of selecting subjects was only one of many which would be encountered in seeking to translate the committee's conception into an actual operating program. Problems of teaching staff, student selection and programs, and teaching materials, all promised to be difficult. With respect to research, the need for institutionalized work far out-ran the Law School's previous experience with such operations. Moreover, it was clear that the work could not be handled in the economical fashion that has traditionally characterized American legal education. Financial considerations would be important.

The committee declined to be restricted in its speculations by the limits of the funds available to the School. Instead it undertook to draw a prospectus of the type of institution that might be created if a sudden benevolence were to remove the financial obstacles to its realization. In this prospectus most of the difficulties noted above were resolved—on paper. The exercise was stimulating, but the plans remained on the drawing boards. It was not until the ending of the Law School's accelerated program for veterans in 1949, the institution of the revised curriculum, and some increase in the School's faculty that any substantial enlargement of the offerings in international legal studies could be attempted. And, since no sudden benevolence had removed financial restraints, the initial steps taken were only such as were possible within the limits of the School's existing resources.

The decision to expand our offerings in the field confronted us with the difficulty of subject selection that we had apprehended. Fortunately, however, we were not constructing a program leading to a special degree: we did not have to prescribe so many units of this, plus so many units of that, and so on. We did have to decide whether, given the competing demands on teachers' and students' time and on research resources, a particular subject was worth including in the curriculum or worth supporting as a research project.

Needless to say, in making this determination the interest and equipment of members of the faculty who were available to teach new courses were factors of prime importance. Moreover, we have had long-run gains in mind. We have wanted to open up problems as to which we could hope not only for reasonable present returns but also for the steady accumulation of increments of knowledge. We need to build up our intellectual capital. We also have been seeking where possible to plan work in one course or seminar so as to reinforce work done in another and to plan a like relationship between instruction and research. Probably we have given less thought to the specific occupational goals of our students than might have been expected. As we have observed the utterly diverse activities of lawyers, especially American lawyers, in this field, we have lost the illusion of capacity to prescribe for our graduates' future employment.

The Expansion of the International Curriculum. The effort to carry out a problem approach did not mean that the traditional courses in the field were superfluous. On the contrary, International Law became of special importance as a source of tools needed in resolving problems presented in other courses and seminars. Moreover, since that course, as long conducted, could not well accommodate much of the new material on world organization that has proliferated under the United Nations, the School had since 1946 provided a short basic course on World Organization. The School had also reinstituted work in Comparative Law in 1949 by providing a course on Introduction to the Civil Law and another on Comparison of the Soviet and American Law. Moreover, the revised curriculum was so constructed that all these courses were available for election in the second year, leaving to the student greater freedom to elect other courses utilizing them in his third year.[14]

Despite these beginnings, it is fair to say that it was not until 1951–52 that the expansion of the School's offerings reflected the new conception of the School's objectives in the international field. In that year, fourteen courses and seminars were offered under the rubric of International Legal Studies (Conflict of Laws not being counted because of its domestic bias). The next year more were added, and some of those offered the first year were materially revised. Now in the third year of the development, we are offering a total of eighteen courses and seminars. To give order to what in an alphabetical listing might have seemed sheer miscellany, we have grouped these offerings by reference to our three problem areas. A survey of the offerings in each may be of interest.

In the category of "Problems of World Order" fall the basic course and the seminar in International Law, both of which had been taught for many years by Judge Hudson.[15] Since the war, Professor Louis B. Sohn has been doing pioneering work in this area. He has developed, in addition to his basic course in World Organization, three one-semester seminars dealing respectively with special problems in the development of world order (e.g., disarmament, international criminal law, Charter revision), with international administration, and with regional agreements.

In the area we have styled "Problems of the World Economy" are some of the most fruitful opportunities for the use of a problem approach. In 1952–53, for example, four seminars were offered which related to international trade and investment. One seminar, directed to Legal Problems of World Trade, first considered the various contractual forms of international commercial transactions and then moved to the role of government controls in international commerce. Two other seminars were devoted to problems of overseas investment. One of these dealt with the subject in terms of United States policies and measures to promote and protect investment by Americans abroad; the other, concerned with foreign investment generally, examined the effects of the laws of recipient countries and also international policies and measures. Still another seminar was directed to a comparative study of tax laws, with special emphasis on those laws affecting international trade and investment.

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[14] As was noted above, Conflict of Laws had always been taken by nearly all third year students, and no change was made with respect to it, except, for greater program flexibility, to supplement the full-year course with one-semester courses in both the first and second semesters.

[15] His place is being filled this year by Visiting Professor Clive Parry of Cambridge University.

None of these seminars could have been fitted exclusively into the traditional International Law or Comparative Law compartments. The portions falling into each varied widely. Moreover, last spring the four teachers[16] offering the seminars concluded that they had been endeavoring to slice up an essentially integral subject matter. As a result, this year all four teachers are joining in a single course in the first semester, dealing with problems posed by business transactions involving more than one country and utilizing business cases drawn from the experience of an American corporation which opened its files for case study this past summer. After a general background has been laid by this common course, each of the teachers will then offer in the second semester his own seminar on the same subject that he had covered separately the year before, and the students taking the common course will elect among these four offerings.

One of the most successful of the new seminars in the economic area was that offered on the European Coal and Steel Community by Professor Robert R. Bowie, who had been close to the development of the Community during his nearly two years of service as General Counsel to High Commissioner John McCloy. As a supranational entity created to attack a vital international economic problem and using for this end instruments drawn from the legal experience of many nations, the Community is ideally suited to such study.[17]

No apt phrase has come to hand to denote the problems of understanding and communication involved in professional cooperation, so we have rather lamely labelled this third area "Comparison of Legal Systems." Under it have been placed two second-year courses mentioned above, Professor von Mehren's course on Introduction to Civil Law, and Professor Berman's on Comparison of American and Soviet Law. In the third year, however, we have been offering two seminars on comparative constitutional law: one by Professor von Mehren on Constitutional Limitations on Governmental Action, comparing the American system with those of France and Germany; the second on Problems of Federalism.

The seminar on Problems of Federalism has always been taught by a group of teachers. In its first year, emphasis was placed on the handling in court decisions of problems in the apportionment of power between federal and state governments. In the next year, attention was shifted to problems of European federation, reflecting the federalism research (described below) which had been directed jointly by two of the teachers participating in the seminar, Professor Bowie of the Law School and Professor Carl Friedrich of the Department of Government. This year, Professor Bowie's place will be taken by Professor Arthur E. Sutherland.[18]

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[16] Professors Harold J. Berman; Kingman Brewster, Jr.; Louis B. Sohn; and Stanley S. Surrey. They are being aided this year by a Teaching Fellow, Mr. Richard N. Gardner.

[17] This seminar had to be suspended for this year when Professor Bowie was granted leave to head the Policy Planning Staff of the Department of State and to serve as its representative on the Planning Board of the National Security Council.

Another way to attack the barriers to professional understanding is illustrated by a seminar in Comparative Legal Research in which, under Professor von Mehren's direction, students trained in one legal system are assigned legal research problems which would be relatively simple but for the fact that the work must be done in the law of another system. The experience of actually working with legal materials of an unfamiliar system is calculated to reveal similarities and differences, not merely in the substance of the relevant laws, but, more importantly, in what the lawyers of the other system regard as significant in seeking to resolve problems arising under it.

The Students in International Legal Studies. The array of courses and seminars that has just been surveyed represents no settled pattern. Changes are certain to occur; in a field as diverse and undeveloped, the danger of digging ruts is still remote. But how well these studies will advance understanding of the problems considered is not simply a matter of aptness of their subjects. They must be examined from the standpoint of the students who enroll in them. And on this score, it is important to differentiate between American students and those from other countries.

At Harvard most of the American law students who elect offerings in international legal studies are candidates for the LL.B. degree. This means that they must devote most of their work to courses dealing exclusively with American or Anglo-American municipal law. At virtually all American schools, the first year of the law curriculum is prescribed and contains no work in the international field. In the second year at Harvard, any one of several half courses in that field (e.g., Introduction to the Civil Law) may be elected and, by permission readily obtained, one of the required full courses may be put over for a year and International Law substituted. In the third year the range of election is greater, but most students will not then elect more than, say, two full courses or seminars (or their equivalent) among international legal studies, some of which may be offered outside the Law School.[19]

This means that seldom will a student obtain an LL.B. degree with more than fourteen semester hours of international legal studies to his credit, and many will have taken less. Is this a little learning, possibly dangerous and at best unprofitable? We believe quite the contrary, and our confidence reflects an awareness (which most of our students share) of the limitations as well as the potentialities of instruction in so unbounded and diversified a territory.

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[18] This seminar could easily have been listed under "Problems of World Order." However, it provides a good medium to foster understanding among lawyers with differing backgrounds who are concerned with the common problems of federation. The fact that a seminar may reasonably fall under two of our headings we regard as a virtue of the seminar. We set no store by our scheme of classification.

[19] The Harvard Law School allows its students up to six hours credit toward the LL.B. degree for courses taken outside the Law School. The Dean's permission is required but this is ordinarily granted for work in areas adjacent to the law curriculum.

We make no pretense of graduating men who are masters of International Law or who are expert in all or even most of the legal aspects of foreign investment or trading or who are at home in any foreign legal system. They will have acquired some segments of "the law" pertaining to the subjects they have studied but, as is also true of domestic law, learning of this sort depreciates rapidly. What we can hope to give them in more lasting form is an acquaintance with the problems characteristic of a subject—the client's problems as well as the lawyer's; a sense of the need to identify the interests at stake; some feeling for the relevant in a welter of facts; increased resourcefulness in searching out ways of attack; some technical competence in handling materials. In seminars, of course, writing a paper may lead to a command of the learning within its topic's bounds, but ordinarily these are narrow, and the paper's chief reward for its author may lie in its contribution to durable knowledge of the types just noted.

Despite fundamental similarities, there is enough difference in the problems tackled in international legal studies from those of the typical domestic course that the carry-over of skill and understanding from the latter to the former may not be easy. Moreover, our uncertainty in this regard is probably shared by most of our graduates. The man who has concentrated on domestic studies in his law school may hesitate later on to venture into unfamiliar territory.[20] Or, still worse, time having dimmed his sense of the differences, he may display that tendency to parochial legalism that has been manifesting itself painfully in some American lawyers in the Congress and out. We feel hopeful that participation, however limited, in international legal studies will serve at least as a corrective or preventive of these attitudes.

We entertain more affirmative hopes. If we can draw each year a group of able American students into this field, and develop their powers to handle some of its problems, we believe they will in time have a considerable impact on American legal thought and practice in international matters. We believe, too, that this preparation will yield American lawyers who are much more effective in their dealings with their counterparts in other countries. These men will not be numerous, but their influence, exerted through a variety of occupational channels, could be far-reaching.

For the American student who seeks an LL.M. or an S.J.D. in this field, more time will, of course, be available for concentration, since he will have dispatched his necessary work in American law. Needless to say, as a source of such men we look hopefully to the spread of strong courses in International

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[20] This hesitation probably is ill-founded. A capacity for self-education on the job has enabled many law graduates to do distinguished work on international assignments for which they had had no special preparation either in law school or in practice. But ordinarily it takes the exigency of war or some professional emergency to induce the venture. And even the successful must overcome handicaps.

Law and Organization and in Comparative Law in law schools not offering graduate programs so that those who come to us and other law schools for graduate work can begin at an advanced level.[21]

The students who come from other countries to American law schools do so chiefly as graduate students, having completed their quite different courses of law study abroad, and often having also engaged in apprentice training or even law practice or government service. At Harvard we are getting from thirty to forty or more such students each year, coming from all parts of the world on this side of the Iron Curtain.

Some of these men come with specific study objectives in American domestic law. Whatever the subjects they have chosen, these men will be engaging in international legal studies. Indeed, their work might well represent a greater experiment in comparative study than the study of courses or seminars in the international curriculum, since in many of the latter they could better rely on the learning they brought from their homes. For this reason, our policy has been to induce, where possible, students from other countries to take at least some of their work in the domestic courses.

One of the main objectives of most students from abroad is to come to know Americans, particularly American lawyers, and to comprehend the way they think and the language they talk. But in the course of this process they are teaching as well as learning, and naturally the international studies offerings, with their relatively small enrollments and their inter-mixture of American and foreign students, provide a good vehicle for this two-way process of communication. The student's lot is not an easy one, and those who come from countries where English is not the native language are often so handicapped that lost motion is inevitable when they undertake work in an American law school. Consider the array of special difficulties that confronts them.

First, they must adjust to the demands of a new and sometimes exacting environment. Second, they must learn to rely on a language which is not their own and to do so well enough to satisfy law's need for exactness in expression. Third, they must cope with a new legal system, one having quite different source materials from those that most of them are used to studying. Fourth, they are up against an unfamiliar method of education, one in which the teacher must often seem to them bent on confusing rather than informing his students. Finally, the student from abroad encounters philosophical differences which are reflected in our attitudes toward law and law teaching: our reluctance to be authoritative, or to accept authoritativeness in others; our prevailing indifference to system-building; our concern with facts and practical consequences; and our frank recognition of the persistence of legal uncertainties and the relativity of many legal norms.

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[21] Mention should also be made of an arrangement that is still in its infancy by which students may combine work as candidates for the M.A. degree in International Affairs or in Regional Studies with the study of law. A student may satisfy the requirements of the second year of work for the M.A. by pursuing a suitable program of law study in the international field, using fully the privilege of taking some work outside the Law School. He may take his basic first year's work for the M.A. immediately before either the first year of law study or the third, the latter alternative being perhaps the more fruitful. Since no student under this plan has yet reached the critical third year of law study, its merits remain untested in academic experience.

The stream into which he is plunged must seem turgid indeed to the student from abroad, who often comes from swimming in the carefully filtered waters of an artificial pool which his teachers have constructed for him. Here, however, we believe that the experience which these students undergo in our law schools will, in the long run, prove a helpful one both for them and for their countries. In a world in which the rate of innovation in social institutions and arrangements is constantly increasing and in which traditional rights are under continuous pressures, there is need for lawyers to play a responsible, resourceful, and, indeed, an aggressive part. We suspect the American lawyer has come to play a more active role in governmental and business affairs than his European counterpart[22] partly because of the difference in his legal education—though, of course, the difference in his legal education itself partly reflects the American lawyer's different role.

Teaching Staff. What a law school might find it wise to do if it were to build a faculty in international legal studies from the ground up is a problem which we have not had to face at Harvard. Only three of those now teaching the course seminars outlined above came to the Law School primarily to teach in the international field[23] and only one man in the entire group is confining his teaching to those offerings. As a general rule, our experience suggests that it is advantageous for the teachers concerned to keep one foot on the (relatively) firm ground of American municipal law.

Professor Sohn is the only member of the Law Faculty who was first educated in law abroad. No doubt, in an ideally staffed school, a higher proportion of men with overseas legal education and experience would be called for. But we have hesitated to sacrifice the American law teaching tradition to acquire greater knowledgeability of foreign legal thought and institutions. Though we recognize that the methods we have developed for instruction in Anglo-American case law are not fully applicable to the special materials and problems often encountered in the international legal seminars, nonetheless we believe that the basic approach of the American law teacher to his subject is distinctive and worthy of extension in this area.

As has been suggested earlier in this paper, the American law teacher has come increasingly to a functional, as distinguished from a conceptual, approach to legal problems. He is impatient with tendencies to emphasize verbal factors. He is likely to stress the importance of facts and difficulties involved in their acquisition. Given the virgin character of much of the field, his reluctance to attempt a search for broad generalizations or doctrinal formulations has much to commend it at this time. Moreover, for the student from abroad, the shock treatment to which he is usually exposed by his teachers here may rid him of some conceptual fixations that would otherwise hang on to handicap him. Our approach, however, is likely to prove antipathetic to many teachers of law from other countries. Perhaps, therefore, in our present developmental stage, we and other American law schools would be wiser to rely primarily on teachers with extensive American legal training,[24] including some who have superimposed this on training in another system of law.[25]

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[22] Disregarding the flood of men and women who do not go beyond the undergraduate course in law and who enter business or government administration in non-legal positions.

[23] Professors Berman, Sohn, and von Mehren.

As the program develops, increasing resort to Visiting Professors from abroad (especially from England and the Dominions) as well as the tonic presence of Visiting Scholars from a variety of countries and in a number of fields should help us avoid provincialism. But, if the change in attitudes that we believe law study here tends to induce in students from other countries is to be healthful, there must be two-way communication and understanding. Our law teachers must learn the foreign students' conception of the role of law and the lawyer in their societies, and the social, economic, and political facts which underlie it. That can be done partly through association here, but it will probably entail a greater amount of work abroad by our law teachers than heretofore has been customary.[26]

Materials for Study. For most American law schools the effort to develop a rounded program in international legal studies would encounter a serious economic problem at the outset: library costs. Few American schools have foreign collections of substantial size. The Harvard Law School owes to the foresight of deans and faculties of past years the initiation of its law collection on virtually a universal scale. As a result, its 800,000 volume Law Library now includes substantially complete collections of the official issuances and the legal periodicals of most countries, reinforced by most of their legal treatises. Harvard's International Law collection also is exceedingly strong, approaching 100,000 volumes in size.

Even the possession of such tremendous collections leaves many problems.

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[24] Convinced that American law students could best be introduced to the Civil Law systems by an American teacher with a background of American law study, the faculty persuaded Arthur von Mehren, soon after his graduation, to go abroad with the rank of Assistant Professor for two years of law study. He stayed three, spending one year in Zurich, one in Berlin working on German law for OMGUS, and one in Paris. He has since been appointed Professor of Law.

[25] The development of international legal studies in the United States in recent years owes much to the reinforcement of our faculties by European law teachers who came here to escape Nazi aggression. A number of them have achieved distinction in American law and have become masters of American teaching methods. But such a source of scholarly and teaching talent, we can only hope, will not be a continuing one.

[26] A helpful device to this end was tested for the first time in June, 1953 when a group of five teachers from the Harvard Law School went to Austria to teach 55 students in a brief session on American law and legal institutions offered by the Salzburg Seminar in American Studies. The students came from most of the countries of Western Europe and included judges, law teachers, governmental officials, and practicing lawyers and students, ranging in age from 21 to 50. Though the session lasted for only four weeks, the association of teachers and students was very close, and the former felt that they gained from it at least as much as they gave. We hope to repeat the session next year, drawing on different teachers. Probably not all of them will be from Harvard.

One, of course, is the problem of language. If all students were expert in English and at least one other language, translation needs would still be serious since the "other languages" would vary and works of interest to a seminar would certainly range beyond the linguistic capacities of some of its members. To reduce materials to English is expensive and time-consuming, and we have been able to do this only to a limited degree.

A second difficulty lies in the fact that on many important problems there has been no effort to make systematic studies, across national lines, of the materials that are available. When researchers dig into these subjects they have to begin from scratch or nearly so, and they lack the many law-finding devices available in this country. In work of this sort we have been able to make only small beginnings.

Still another difficulty lies in the fact that a problem-oriented program in international legal studies must deal with the phenomena of law in action. Much work would be at growing points in the law where official legal materials are few. Even governmental regulations are sometimes hard to reach—for example, exchange regulations which many countries do not make public in their entirety. Moreover, many of the measures in which we would be interested are embodied in private arrangements and agreements. To reach these instruments, case studies of business experience are necessary, and we have made only a start in this direction.

Many of the problems with which venturers into this field would have to concern themselves call for the expertise of other disciplines than the law. Obviously, for a number of studies economic data would be of critical importance; others would require information of the kind that political scientists or sociologists can best provide. In addition, the law teacher may well require the analytical help of his bretheren in the social studies. Although most of the interdisciplinary seminars we are offering lie in the domestic field, we have been benefiting from the aid which Professor Carl Friedrich of the Department of Government is rendering us in the seminar on Federalism. Other opportunities for similar arrangements are likely to arise. Moreover, there is a small but growing flow of graduate students from the social sciences into the new seminars.

The Role of Research. Given the difficulties in supplying materials for study, expansion in research activities would clearly be a necessity in international legal studies even if its only excuse were to enlarge the intellectual capital for courses and seminars. Fortunately, however, research projects can be designed which not only will minister to this need but also will contribute knowledge needed in attacking significant international problems.

Many of the difficulties of organizing research in this area have already been suggested by what has been remarked in other connections, but there is one factor of peculiar difficulty for a law school, namely, personnel. The number of able men with experience and interest in international problems who are also equipped to work in more than one language and more than one legal system is small indeed. The demand for such abilities having been steadily increasing, the pressure on the existing supply has grown acute. To staff a research project, especially where participation does not carry with it academic tenure, becomes a very difficult enterprise. As the prestige of research in this field grows, this personnel problem may diminish, but now it represents a real impediment to growth. Most continuing research projects may have to recruit men without specific training, using training-in-service as a way to overcome the current short-handedness.

Since 1951 the Harvard Law School has been the seat of a number of research projects in the international field which exemplify some of the kinds of work that can be done in the area. Four of these will be briefly noted here.

1. Studies in Federalism. At the request of leaders of the European Movement, Professor Robert R. Bowie of the Law School and Professor Carl Friedrich of the Department of Government joined in organizing a staff of lawyers and political scientists to prepare a series of studies of problems of federalism as disclosed in the experience of a number of federal states. The task was undertaken for the American Committee on United Europe with a grant provided by the Ford Foundation for the purpose. The team gathered by Professors Bowie and Friedrich represented the federal states of Australia, Canada, Germany, and Switzerland, as well as the United States. Professors Paul A. Freund, Louis B. Sohn, and A. E. Sutherland of the Law Faculty also contributed to the work, which was hurried to completion so that its products might reach the committee of jurists working on the draft constitution for Western Europe. Most of the resulting studies were published in French about six months from the start of the work.

2. The International Program in Taxation. Believing that comparative studies can aid materially in modernizing inefficient and inequitable revenue laws, the Law School is cooperating with the Fiscal Division of the United Nations in instituting research in taxation, with special emphasis on the problems of the under-developed nations. Studies of the relation of taxation to investment in Latin America were requested by the Fiscal Division, and work in this area is continuing. Preliminary work is also being directed to the problems of agricultural taxation, which loom large in the under-developed countries. Clearly related to the Program's research activities (in which a staff economist and a foreign business management expert from the Graduate School of Business Administration have joined) is a newly organized training course for junior officials in ministries of finance in a number of countries. Some of them have been sent to us by the United Nations and some by the United States government. This work includes some instruction in regular courses and some additional work directed by the Program's staff and tailored to the special needs of the trainees. This Program is one which we believe will gain steadily in usefulness if funds to establish it on a permanent basis can be obtained. At present the research is being operated on a grant of $200,000 from the Ford Foundation for a three-year period.

3. Legal Impediments to American Investment in Extractive Industries Abroad. This was a short-term project undertaken by a member of the Law School Faculty, Professor Kingman Brewster, Jr., under a Law School contract with the President's Materials Policy Commission in the summer of 1951. The work required interviewing officials in a considerable number of firms in extractive industry in the United States, most of which had some investments abroad. Through the interview process much was learned about laws both here and abroad thought to impede overseas investment in extractive industries. The inquiry has also proved invaluable to Professor Brewster in his seminar on investment problems.

4. The Cooperative Research for Israel's Legal Development. Upon learning of the needs of the State of Israel for comparative law research to aid its efforts to modernize the miscellany of laws it has inherited from past regimes, the Law School undertook to establish a research unit which would enlist the help of scholars at Harvard and at other

universities. Under the direction of Mr. Joseph Laufer, a lawyer trained both on the Continent and in the United States and who had also lived in Palestine, the project has been able to make considerable contributions to the Israeli legislation program while, at the same time, providing an excellent example of the comparative technique in the solution of practical legal problems. The project staff benefits from contacts with Israel through the Director's annual visit to that country and the coming of Israeli lawyers to work at Harvard. Recently, an Israel Supreme Court Justice and a lower court judge were at Harvard for nearly two months and still more recently the Attorney General of the State spent several weeks here at work on a new code of evidence for which he had provided the basic draft.

In the future we see increasing opportunities to combine training and research for men of some maturity and specialized experience who come to the Law School for work in the field of that experience. They can scarcely be expected to rely wholly on the regular offerings of courses and seminars. To tailor programs to their needs, however, faculty or staff members must be available to give direction to the special work. In compensation, the visitors themselves can often contribute to our knowledge of their own laws and administration in ways which we ourselves would find it hard to duplicate.

A Long-Range View. What has been described above is the very early stage of a development which, if it is to realize its potentialities, must do so over a considerable period of time. Given such a span, however, it may not be too much to expect the emergence in a few law schools of programs of law study which would be organized on a world as distinguished from a national basis. In the United States we have long distinguished the "national" from the "state" law schools on the grounds chiefly that the former have drawn their students from many states, that they have given no special emphasis to the law of any one state, and, in more recent years, that they have emphasized the legal problems of the federal government. It would not be too great a stretch to apply those criteria to the work I have been describing and to conclude that we have the beginnings of a "world" school.

However that may be, it seems clear that the number of institutions which can develop extensive programs of work of the sort described cannot be large. It is important nonetheless that a number of schools join in the work since the tasks are far beyond the competence of a single school; indeed it requires the participation of a number of nations. But, whenever a good beginning can be made in one school, the likelihood of similar developments in other institutions is greatly enhanced.

As certain areas of international legal studies become better disciplined and the pioneering schools thoroughly train more men in their study, other law schools should find it possible to draw on these centers for both materials and personnel. Such has been the American experience in the development of a number of the fields of federal law that now bulk so large in the modern law school curricula. A development along these lines would provide a broader base for the education of men in international legal studies while leaving the primary responsibilities for research and advanced study centered in the relatively few institutions equipped to discharge them.

THE POLITICAL THEORY IMPLICIT IN SOCIAL CASEWORK THEORY

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The political theory implicit in social casework theory can be defined, for purposes of this discussion, as the theory of the relationship between man and society on which professional social casework is consciously predicated, or that theory of the relationship which is logically implied by social casework practice. This theory is not often consciously articulated and we must look for it, therefore, in those presuppositions underlying casework theory which are frequently accepted uncritically, if not wholly unconsciously. This practice obviously cannot be carried on without basic (although perhaps not entirely conscious) presuppositions about what man is like and consequently about what society can or ought to do for him.

The presuppositions underlying social casework theory, although important in any context, have acquired a new significance to the extent that social casework has increasingly become a government function. During the past twenty years literally millions of people in the United States have been brought into a new relationship with officials of their local, state, and national governments —namely, the relationship of client and social caseworker. Governmental social casework today affects the lives of more than five and a half million recipients of public assistance, a quarter of a million children receiving public child welfare casework services, some 300,000 juvenile delinquents, and an uncounted number[1] of veterans and other persons "receiving services"—a total not far from, and possibly greater than, five per cent of our population. Moreover, the trend has been consistently upwards.

While the number of persons involved in itself lends new significance to the presuppositions underlying social casework theory, there are other aspects of even greater importance. People are impelled into a relationship with a social caseworker because they are in trouble. The caseworker is the medium through which the client may have to establish his right to enough money to avoid starvation, or with whom he must treat in matters as vital to his happiness and rights as separation from his wife, loss of custody of his children, commitment to an institution, sterilization, or a radical change in his manner of living. The fact that in some of these cases there must also be a legal determination does not remove the possibility that the client may acquiesce in very real infringements of his rights in order to obtain immediate and urgent ends.

Moreover, those persons who come into a relationship with the social caseworker as a client are for the most part politically and socially impotent. Although there has been some change in the last two decades in the relative positions of client and caseworker, and some beginnings of political organization among client groups (notably among old age recipients in California and Oklahoma), by and large the client group is politically powerless and socially humble. It is far more likely, therefore, to be persuaded to yield its rights than would other groups in the community and, for the same reason, to suffer the loss of its rights with a minimum of protest from the public at large. Traditional thinking about "the poor," which tends to identify poverty with defects in character, is also likely to sustain this public indifference.

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[1] Surprisingly, no unified count of recipients of either public or private casework services seems ever to have been made. Figures quoted here are from recent issues of the *Social Security Bulletin* and the *Social Work Year Book.*

The increased professionalization of social work is another factor of great importance in estimating the significance of the political theory implicit in social casework theory. As social work becomes increasingly professionalized, the theories of social needs and goals developed by the profession become more and more esoteric, and consequently less easily understood and less susceptible to the control of public opinion. Because the practice of social work has increasingly become a governmental function affecting the lives and rights of millions of individuals, because the client group is relatively impotent politically and socially, and because the practice of social work is increasingly in the hands of highly trained specialists whose theories are not easily understood or checked by public opinion, it has become more important than ever to examine critically the presuppositions underlying modern social work practice—if only to bring them to the light of day, where those concerned with the rights of people may be aware of the issues involved.

It is the professional literature of social casework, and particularly that of its acknowledged leaders, that will be briefly examined here, with a view to discovering the implications for human rights contained in it. No distinction will be made between theory developed ostensibly for public and private social work. This would indeed scarcely be possible. The professional field is more or less unified. Professional schools train workers for both fields without distinction. Practitioners move from one field to the other and back again, with little consciousness of difference, and indeed the initial leadership in public social work was provided by the private family field. Moreover, many so-called "private" agencies are quasi-governmental in nature, especially since community funds have developed what might be called "voluntary-involuntary" taxing methods through the pressures of employers and public opinion.

The existence of large-scale government social welfare programs raises, of course, important theoretical questions about the proper functions of government which have been more or less widely debated. But the Welfare State cannot be judged solely in terms of its political and economic philosophy, for much of its character will depend upon the thinking and actions of those governmental officials who come into direct contact with the people whom the state claims to serve. So powerful for good or ill is the relationship between giver and recipient that what these officials conceive to be the nature of man and his proper relationship to society cannot but profoundly affect the whole question of man's liberties and rights.

Since the sixteenth or early seventeenth century, the rights of paupers and of other persons unable in some way to manage their own affairs have not received much attention from political thinkers. The state took little heed of the plight of those financially or emotionally "unadjusted" to society—to use a modern term—until the end of the sixteenth century, and then its measures were largely repressive. The basic assumption of the Elizabethan poor laws is that poverty, unemployment, or other social distress is the direct result of sin, and in particular of the sin of sloth. As late as 1935 paupers could be deprived of all civil rights in a number of American states, could lose their natural rights to their children, and were deliberately held to an insufficient standard of living under the doctrine of "less-eligibility," in the hope that this would spur them to greater effort.[2] Calvinism, which suggested that these deficiencies of character were foreordained, further removed necessity for considering the political or natural rights of a group who were generally assumed to be inferior by Divine disposition or to have wilfully forfeited what rights they had. As one writer puts it:

> Society had a need to place outside of itself those who were not economically successful, and employed social case workers to see that it was not troubled by these individuals and their families.[3]

Liberal thought appeared to have followed the Donatists and Locke rather than the Early Fathers in making a man's property something to which he had a natural right as the fruit of his labor, and to deny it to those who could not, or would not, labor. Social work developed an educative, moralizing concept in the work of the Friendly Visitors, who were, moreover, very conscious of their superiority over those whom they served. An early nineteenth-century writer says, in words which would have been equally applicable to the early years of the twentieth:

> Let the moral sense be awakened and the moral influence be established in the minds of the improvident, the unfortunate and the depraved. Let them be approached with kindness and an ingenuous concern for their welfare; inspire them with self-respect and encourage their industry and economy. . . . Those are the methods of doing them real and permanent good.[4]

Neither political nor natural rights were believed to be involved. Social work was conceived of as a reformatory activity—until 1916 the annual conference of social workers was known as the Conference of Charities and Corrections.

Modern social casework thinking dates in general from the publication in 1917 of Mary Richmond's *Social Diagnosis*.[5] Miss Richmond's major contribution to the field was her scientific approach to the problems of social maladjustment. For earlier attitudes of repression or education, Miss Richmond substituted one of minute, objective study of each individual case. She proposed a system of social diagnosis and treatment akin to that of medicine, in which the social worker gathered evidence of all sorts, and from all sources, evaluated its reliability, and prescribed treatment. Her "questionnaire" to be used in studying the situation of a neglected child, for example, contains one-hundred and ten items, some of them as complex as the following:

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[2] See Arthur P. Miles, *An Introduction to Public Welfare* (New York, 1949), pp. 24–76, and many other sources.

[3] Bertha C. Reynolds, *Re-Thinking Social Case Work* (San Diego, 1938), p. 7.

[4] *Annual Report of the Society for the Prevention of Pauperism, 1818*, quoted in Edward T. Devine, *The Principles of Relief* (New York, 1904), p. 292.

[5] Mary Richmond, *Social Diagnosis* (New York, 1917).

> Is parental discipline rigid to the point of cruelty? Is punishment given . . . in anger, or is self-control exercised? Is punishment frequent, oversevere, of unnatural or cruel form, dictated by perverted religious ideas, etc.? Is there abusive treatment not associated with the idea of punishment?[6]

The initial effect of this scientific approach was to enlarge the rights of the client. He was freed from the stigma of moral inferiority. He was no longer held responsible for all that had happened. He could demand the professional attention of the caseworker for his individual problem. He was given a part, even though a small one, in his own treatment. Miss Richmond, in another work, defined casework as "the art of doing different things for and with different people by cooperating with them to achieve at one and the same time their own and society's betterment,"[7] and stated that "the most successful case work policies are encouragement and stimulation, the fullest possible participation of the client in all plans and the skillful use of repetition."[8] There had been, in fact, a switch of interest on the part of the caseworker from society to the client. Philip Klein notes this shift some fifteen years after the publication of *Social Diagnosis:*

> By virtue of its new scientific character the perspective of all social work shifted from an "external" view previously held by social reformers, theorists and philanthropists alike, in which the poor, the sick, the criminal or the neglected child appeared mainly in contrast to the normal and quantitatively solid mass of population, to an analytic view as if from the angle of the client himself. The social worker in this new conception was no longer an agent serving the social mechanism so much as an instrument of adjustment manipulated in the interest of the client and upon the physical and social environment of the client.[9]

This might be thought of as a liberating process. Nevertheless there were two principles of Miss Richmond's thinking which should be kept in mind in the light of their later implications. These were her deterministic view of man's behavior and her theory of the "wider self" or "the whole man." Both are apparent in the following quotation:

> Individual differences must be reckoned with in every field of endeavor, but the theory of the wider self, though it has of course other implications, seems to lie at the base of social case work. We have seen how slowly such work has abandoned its few general classifications and tried instead to consider the whole man. Even more slowly is it realizing that the mind of man (and in a very real sense the mind *is* the man) can be described as the sum of his social relationships.[10]

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[6] *Social Diagnosis*, p. 410.

[7] Mary Richmond, "The Social Case Worker in a Changing World," address given at the National Conference of Charities and Corrections, 1915, reprinted in *The Long View*, a posthumous collection of articles (New York, 1930), pp. 374–75.

[8] Mary Richmond, *What is Social Case Work?* (New York, 1922), p. 256.

[9] "Social Work," *Encyclopaedia of the Social Sciences* (1933), Vol. 14, p. 168.

[10] *Social Diagnosis*, p. 368.

Almost concurrent with Miss Richmond's writings, but largely unnoted by her, came the emphasis on a new type of scientific approach. The basis for this was Freudian psychiatry, which gained tremendous impetus from the discoveries of the neuro-psychiatric services of the Army in World War I. Its impact on civilian social work is perhaps best described in Virginia Robinson's *A Changing Psychology in Social Case Work*, published in 1930. The emphasis on analytical psychiatry resulted, as Miss Robinson shows, in even greater attention to the client's own feelings and in an even stronger deterministic theory of man's nature. It also gave birth to the concept of treatment relationships modelled on that of psychoanalysis, in which the client must take responsibility for much of his own cure. Psychiatric knowledge could result in two different kinds of relationship, either "a point for point relationship in which the worker manipulates the client's inner life as before she manipulated the environment," or "relationship as a new environment which gives the client opportunity to work out his own problems."[11] To the latter concept Miss Robinson gave her allegiance.

It was, however, the depression beginning in 1929 that did most to promulgate rights for the poor and to upset current traditions about the connection between character and social success. Quite obviously men were unemployed, in need, and suffering, who bore exemplary characters. Quite obviously, too, these men were not of an inferior social class. Their rights were of importance, and we have in the Social Security Act of 1935, and particularly in its public assistance provisions, the birth of a new philosophy of man's right to a decent standard of living. These provisions assume the right of all individuals who have suffered certain catastrophes, such as blindness, old age, or the loss of a parent, to assistance which will bring their total income up to some locally determined minimum subsistence level. Moreover, this right is an objective one which cannot be conditioned on any requirement to act in any specific way, or to reform oneself, or to be any more moral or more responsible than what is demanded of the rest of society. As the assistant legal counsel of the Federal Security Agency wrote:

> Law never seeks to buy behavior. It seeks to give rein to moral law. It seeks to allow the individual to benefit or suffer from his choices and sacrifices as freely as possible. This is quite inconsistent with the idea that behavior should enlarge or diminish legal rights. Law insists that the free exercise of rights is essential to democratic equality.[12]

The implications of this philosophy are clear. Man is seen as a rational being, who for the fuller exercise of his powers needs, among other things, a decent standard of living. He is therefore both entitled to this help and trusted to use it—not with the blind trust of Marx or Fourier that because he has a better financial situation he will become immediately moral, but in the sense that man as a whole is rational enough to make use of opportunity. Nor is this the creation of a "new" natural right, but rather a right that has come into prominence because the increasing complexity of the economic system does make it less possible for man to achieve this right by his own efforts. Such a right may not have been recognized by the writers of the Constitution, for instance, because in an agrarian society there were few people who could not provide for themselves, and government therefore may not have needed to concern itself with it.

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[11] *A Changing Psychology in Social Case Work* (Chapel Hill, 1930), pp. 183–84.

[12] A. Delafield Smith, "Community Prerogative and the Legal Rights and Freedom of the Individual," *Social Security Bulletin*, Vol. 9, no. 8 (Aug., 1946).

Such a concept, and in particular the concept that such a right should not involve a reciprocal obligation to spend wisely, or to be moral (over and above the morality of the rest of the population), has been widely attacked. It has been said to be one of the social work concepts that is least well understood by the public at large:

> These ideas run counter to some of the most deeply ingrained traditional economic and welfare concepts of Western civilization. Many tenets of Christendom support the private enterprise system in the belief that economic aid provided by other than one's own endeavor or that of his family is by nature a gratuity that should be classified as charity rather than as a right. This culturally 'inherited' conviction results in the belief that the use of the tax power for this purpose makes the government a benefactor and thereby gives those who administer such funds the duty of regulating and sitting in judgment on the behavior of legally qualified recipients of funds not individually earned. . . . It is even contended that public assistance recipients should not be allowed to live in a manner that endangers their health lest they become a still greater expense to the public, and that procreation should be restricted for the same reason. No such limitation is put upon other citizens.[13]

Lewis Meriam, in his *Relief and Social Security*, concludes that those who are in need should be divided into two classes, those who are "reasonably competent to manage their own affairs" and those whose "need results in part from their inability to manage their own affairs." The former should not "have just as much freedom in handling the money that comes to them from the public treasury as they have in handling the resources they have earned by their own efforts" (unearned money includes social insurance, since premiums are not actuarial), but, since "the objective of the state should be to develop and sustain the personal independence and self-sufficiency of its citizens," it will exercise sparingly its "right to supervise" and "will avoid wherever possible governmental interference." The second group, however, "should be subject to the supervision of competent, professionally trained, public employees and payments should be contingent upon suitable use and application of the public funds provided."[14]

Mr. Meriam is concerned primarily with the redistribution of wealth which he feels to be involved, and which he states "appears to do violence to the principle that the government should not interfere further than is necessary with the freedom of the individual to use his earnings and his property as he sees fit within the limits of the law."[15] He does not, seemingly, regard supervision by competent, professionally trained public employees as contrary to man's natural rights. Nor does he apparently fear that the judgment, presumably to be made by these same competent employees, as to whether a man is capable or not of managing his own affairs is likely to be capricious, or might be unlimited in scope (since it is the person and not the money which is to be supervised), or might not conduce to personal independence and self-sufficiency. It should perhaps be made clear that the philosophy of public assistance is not that morality or responsibility is unimportant. Public welfare agencies have often been accused of fostering immorality and irresponsibility because they do not use public relief as a means to make men moral or responsible. Putting aside the question of whether this is possible, the philosophy of public assistance in the writings of such leaders as Hoey, Kahn, Marcus, and Smith is quite clearly that morality and responsibility are matters of personal conscience or should be left to such agencies as the church or the schools. Only where the law is transgressed should they be the concern of government. They are not and should not be matters to be decided by public officials outside the law or required as the price of a minimum standard of living.

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[13] Ernest Hollis and Alice L. Taylor, *Social Work Education in the United States* (New York, 1951), pp. 205–6.

[14] *Relief and Social Security* (Washington, Brookings Institution, 1946), pp. 865–67.

The importance to social casework of the Social Security Act was two-fold. In the first place, it gave, somewhat incidentally, an enormous impetus to governmental social work. By insisting on the criterion of need, and thus individual although not individualized treatment for those covered by its public assistance provisions, it provided the basic clientele for new, vastly enlarged state and local welfare departments. These in turn have proved focal points for programs having little to do with the Act. The county public welfare departments in North Carolina, for instance, carry a minimum of forty-seven distinct functions, only four of which come under the public assistance provisions of the Social Security Act, although twenty others have some general relation to its broad child-welfare provisions. North Carolina counties also give every month non-financial service to some 18,000 persons, and provide another 7,000 families with other financial assistance not under the auspices of the Act. In the second place, the Act appeared to give emphasis to the theory of self-determination, which had, as we have seen, begun to develop alongside a belief in psychic determinism. We should not forget, however, that the Act enunciated general and not individual rights and that social casework is an individualizing science. The legal rights established in the Act presumed recipients to be self-directing, rational beings. Casework, despite its apparent acceptance of these rights, was learning largely from a psychology that held man to be basically irrational. It is true that in actual practice many people found it difficult to understand or to make full use of their legal rights—they were ambivalent or confused, and needed help. But—and this is the crucial question—is the responsibility of the caseworker the restricted one of helping them understand and make use of the services available, should they wish to do so, or does the caseworker have the responsibility of making people happy, whether or not they consciously wish to be made so? If social casework is "individual therapy through a treatment relationship"—Miss Robinson's 1930 definition[16]—is it not the responsibility of the state to make use of the vast number of new relationships created by the Act to promote this therapy? If a profession has scientific knowledge of what causes maladjustment and believes that it has the means to correct it, should it not strive to do so everywhere it can?

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[15] *Ibid.*, p. 838.

On this question of the social worker's responsibility, the field of social casework split. Some workers, it is true, did not recognize the implications of this division. To them it was merely a difference between two schools of psychiatry—that of Rank, which postulated an integrative force known as "the Will," and that of Freud, which did not. A pamphlet published in 1950 which sought to compare the basic concepts of the two schools, which it claims to be technically irreconcilable,[17] attributes the difference almost solely to the system of psychiatry followed. Nevertheless, the two psychiatries imply a very different relationship between man and his government. Equal weight will be given here to the theories of the two schools, not because they are quantitatively equal—of more than fifty graduate professional schools in Canada and the United States, not more than three at the most can be considered to belong to the "functional" group—but because the minority view offers what appears to be the only logical alternative to the dominant and positivistically motivated school.

The concepts of the functional (or Rankian) school, which is represented largely by writers such as Kenneth Pray, Herbert Aptekar, Virginia Robinson, Grace Marcus, and Jessie Taft,[18] can best be summed up in the words of the first of these:

> Such an approach . . . starts with the primary assumption that the applicant has personality and social strengths—perhaps latent or unorganized, perhaps blocked, confused, or distorted, but also perhaps directly available for use, if given outlet through clarification and appraisal of available alternatives. This approach clings steadily to the conception that this individual . . . carries responsibility for his own life as a whole and must continue to carry it. . . . It is his own will, his own capacity for growth and change, his own selective use of his experience, . . . that determine the outcome. The worker, with all his knowledge and skill, cannot determine—cannot even predict—that outcome. The worker can only accept responsibility for rendering a service which the applicant sees as appropriate to his need, and for initiating and sustaining a process, within the service relationship, which

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[16] *A Changing Psychology in Social Case Work* (cited above, n. 11), p. 187.

[17] Family Service Association of America, Committee to Study Basic Concepts in Casework Practice, *A Comparison of Diagnostic and Functional Case Work Concepts: Report*, ed. Cora Kasius (New York, 1950), p. 13.

[18] See Kenneth Pray, *Social Work in a Revolutionary Age* (Philadelphia, 1949); Herbert Aptekar, *Basic Principles of Social Case Work* (Chapel Hill, 1941); Virginia Robinson, *Supervision of Social Case Work* (Chapel Hill, 1936), and *Dynamics of Supervision under Functional Controls* (Philadelphia, 1949), as well as the book already quoted; Grace Marcus, *The Nature of Service in Public Assistance Administration* (Washington, Federal Security Agency, 1947); Jessie Taft, *A Functional Approach to Family Case Work*, of which she was editor, and the volumes of the *Journal of Social Work Process* published by the Pennsylvania School of Social Work between 1939 and 1946; as well as articles by all the above-named in the *Journal of Social Casework, The Social Service Review, The Jewish Social Service Quarterly*, etc.

> enables the client to exercise his will and use his powers with greater freedom, with less fear, with more insight and clarity, as to both the purpose and consequence of action.[19]

Ruth Smalley, another respected practitioner of this school, elaborates on the restriction of the social caseworker's role:

> The social worker makes no assumption that the person who comes to her is incapable of understanding or solving his problem, or that by virtue of having one problem he has many, or that if he has many, he must deal with them all in order to receive help with any. The old "social class" psychology out of which, however kindly, one person takes responsibility for another has gone out with the new social casework.[20]

The relation of this type of social casework help to the legal rights enunciated in the public assistance provisions of the Social Security Act is clear both implicitly and explicitly. The Act must not be used as an excuse to render social services to persons who do not desire them. Grace Marcus expresses it thus:

> In administering assistance as a right, the agency is bound not to use the individual's economic helplessness for purposes that have not been generally declared and defined even though these purposes are presumably inspired by interest in the individual's welfare or the welfare of his dependents.[21]

A source of help, however, can be found in the process of administering public assistance as in the administration of any service. The caseworker, supported by the functional structure of the agency—hence the name given to the school—helps the client face his feelings in relation to what is happening to him in the service and thus clarifies for him both his feelings and the reality of the choices open to him. To quote Miss Marcus again:

> Social workers have come to recognize that when, at this point of crisis, the individual faces the reality of his own helplessness to meet his needs unaided, he is making a significant move towards taking hold of himself and his affairs. . . . We have been finding the means for this service in that body of requirements, policies, procedures and standards that at first aroused such profound misgivings in us.[22]

It is perhaps typical of the age, and a reminder that social casework is by nature pragmatic and ameliorative, that it was found necessary to defend this approach to human problems from the charge of being "unscientific." Jessie Taft distinguishes between the scientific nature of results and method:

> For instance, one of the criticisms most commonly expressed is that the functional theory is unscientific. No one to my knowledge has ever tried to show specifically that the practice on which this theory relies is lacking in helpfulness to the client in obtaining the service for which he applies, nor that this helpfulness, where it seems to be demonstrated, is not connected with an understanding of the process involved and with a conscious, consistent use of that understanding. If by "scientific procedure" one means not so much the complete reliance on a deterministic causality as the recognition of a universality based on

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[19] Kenneth Pray, "A Restatement of the Generic Principles of Social Casework Practice," in *Social Work in a Revolutionary Age* (cited above, n. 18), pp. 249–50.

[20] "The Relation of the Social Casework Process to the Purpose of a Public Assistance Program," a paper given at the New York State Conference on Social Welfare, 1948.

[21] Grace Marcus, *The Nature of Service in Public Assistance Administration* (cited in n. 18).

[22] Grace Marcus, "The Psychological Problem in Providing Assistance as a Public Service," paper given before the American Orthopsychiatric Association, Feb., 1946.

> verified comprehension of the nature or law of the particular process in question, then this approach is scientific.[23]

This defense was largely occasioned by the violent attack on the functional school by Gordon Hamilton at the 1941 National Conference of Social Work[24] in which Dr. Hamilton gave formal expression to the "organismic" (now known as the "diagnostic" or Freudian) point of view which is held by a large majority of social caseworkers today.[25] This school continues Mary Richmond's concept of treatment and diagnosis, although treatment and diagnosis are now conceived of primarily in psychoanalytical terms. Miss Hamilton affirms her belief that:

> The base of social work is potentially scientific; that the social sciences allied with the physical sciences must increasingly throw light on social needs and social improvement; that the organic and psychogenetic theory of personality is fundamental.[26]

How closely social casework is identified with psychotherapy can be seen in the following statement:

> We have said that there is no essential difference between casework and therapy. The question will follow: Is there a difference between the psychiatric therapy of the social worker and that of the psychoanalytic therapist? We answer: There is no qualitative difference. . . . The differences are quantitative.[27]

The positivist base of this theory is abundantly apparent. Miss Hamilton writes: "I must also remind you that we can only have schools of thought *before* conclusive scientific data are secured. As knowledge advances in a given area, speculation diminishes."[28] We can even find the Law of the Three Stages recast in the form of a progression from the counselling of the priest, through counselling by means of the non-analytical psychologies, to counselling by means of the newer analytical disciplines.[29] Man is seen as a victim of pressures, external and internal, which prevent his living a "normal life." Florence Hollis expresses it thus:

> Man with his individual needs lives within an external world of reality in which he seeks to satisfy these needs. This he can do only as he learns to adjust to the social and physical

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[23] Jessie Taft, introd. to *A Functional Approach to Family Case Work* (cited above, n. 18), p. 5.

[24] "The Underlying Philosophy of Social Casework," reprinted in *Principles and Techniques in Social Case Work; Selected Articles, 1940–1950*, ed. Cora Kasius (New York, Family Service Association of America, 1950), pp. 7–22.

[25] Major writers in this school are Gordon Hamilton, *The Theory and Practice of Social Casework* (New York, 1940; 2nd ed., 1951); Florence Hollis, *Social Casework in Practice* (New York, 1940); Bertha Reynolds (see above, n. 3); Fern Lowry; Lucille Austin; and Dorothy Hutchinson. Most of the significant writing of the last three is in article form. Some writers (such as Charlotte Towle, whose *Common Human Needs*, published by the Federal Security Agency in 1945, was withdrawn in answer to the objections of the American Medical Association) use the vocabulary of this school but are, in their underlying concepts, eclectic or even nearer to the functional point of view.

[26] "The Underlying Philosophy of Social Casework" (cited above, n. 24), p. 10.

[27] Helen Ross and Adelaide M. Johnson, M.D., "The Growing Science of Casework," reprinted in *Principles and Techniques in Social Case Work* (cited above, n. 24), pp. 52–3.

[28] Hamilton, "The Underlying Philosophy of Social Casework" (cited in n. 24), p. 9.

[29] Robert Waelder, "The Scientific Approach to Casework with Special Emphasis on Psychoanalysis," reprinted in *Principles and Techniques*, etc., pp. 24–25.

> laws of this world. He may fail and need the help of a case worker either because of a lack of adjusting power within himself or because he is subjected to unusual pressures from the environment.[30]

Miss Hamilton, while specifically denying the concept of a norm, describes the function of the caseworker as "enabling another to realize his own capacities for change and growth"—which she describes as "the greatest gift anyone can offer." This however, she rewrites significantly in the next sentence as "change, growth and *adaptation to reality.*" The underlying assumption is clear. Reality is something which the caseworker knows because of his scientific training. "One cannot," writes Miss Hamilton, "release such energies unless the worker himself has been taught systematically how to understand the nature of motivation."[31]

Yet self-determination is still professed by caseworkers. Thus the essentials of casework, according to Miss Hollis, are the self-determination of the client, the "acceptance" (or tolerant understanding) of the worker, the worker's objectivity, or self-knowledge, and finally, knowledge. "Without adherence to the principle of self-determination," she writes, "without self-understanding, no amount of theoretical knowledge will be of much help. But built on top of these things such knowledge is essential."[32] Again:

> Case work seeks "to assist families and individuals in developing both the capacity and the opportunity to lead personally satisfying and socially useful lives." This multiple objective is most likely to be achieved if the case worker recognizes that the client must be in control of the guiding of his own life. . . . It is important that the client's right of self-determination exists *until it is demonstrated that the exercise of this right would be highly detrimental to himself and others.*[33]

The worker decides whether a citizen may exercise what is in the same sentence described as a right.

Miss Hamilton herself distinguishes between people who are "relatively self-directing," and those who are "less capable, weakened, or seriously handicapped,"[34] thus echoing Mr. Meriam in a slightly different setting. Not the client's control of his money, but far more personal decisions may be denied to him if the caseworker believes him to be "less capable." Self-determination has, in fact, had to retreat before the growing conviction of caseworkers that man is irrational. One group after another is declared incapable of making its own decisions. Unmarried mothers were among the first to be professionally so classified. Dorothy Hutchinson writes:

> In my opinion the majority of these mothers are unable, if not incapable of making their own independent decisions without skilled case work service. . . . It is true that even with-

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[30] Florence Hollis, *Social Casework in Practice*, p. 264.

[31] Hamilton, "Helping People—The Growth of a Profession," 1948, reprinted in *Principles and Techniques in Social Case Work*, p. 89.

[32] Hollis, *op. cit.*, p. 8.

[33] *Ibid.*, pp. 5–6. Italics added.

[34] Hamilton, "Helping People" (cited above, n. 31), p. 89.

> out guidance, she *will* make a decision but this is one which will be determined by unconscious factors and most always to the detriment of the baby and defeating to herself.[35]

Taking over of decision for the client is predicated on the theory that people do not know what they want, and therefore need help in finding this out. A recent writer who includes the parents of difficult children among those who cannot be trusted with their own decisions remarks:

> The client frequently is not in a position to evaluate his problem clearly by virtue of his own closeness to it. We all accept the premise that an essential element of all therapeutic relationships is that the helping person is outside the problem and can therefore see it more clearly.[36]

Even where the client is presumed to be capable of some choice, the choice of method and of goals of treatment falls on the worker. Every case has a "treatment plan" determined on the basis of the client's "need" and his "treatability." Lucille Austin, writing of one type of casework service which she calls "insight therapy," says:

> The main technical problems center around the selection of appropriate cases, the selection of the central problem to be brought under treatment, the development of interpretative techniques which aid the client in gaining understanding of unconscious feelings and motivations . . . and the kind of environmental activity that can be appropriately introduced. . . .[37]

The client apparently cannot choose either for what he needs help or how he is to be helped. Miss Austin does not make clear that she is writing, as she may be, only about clients who come to a family agency of their own free will and request help for specific problems. Whether she is or not, what she teaches has been accepted by the profession as a whole as applicable to those who come to any agency for any purpose, even one largely unconnected with what the agency sees as the trouble.

Thus, while a caseworker may respect the legal right of a public assistance recipient to spend his money as he will, a control over the client's life returns through the concept of the "whole man." So basic is this concept to the philosophy of the diagnostic caseworker that it is difficult to find it stated explicitly in any recent work. It is perhaps illustrated most clearly in the publications of the United States Children's Bureau. We noted earlier that the functional school accepted only a partial, limited role in the lives of clients. The diagnostic school accepts not only responsibility for the whole client, but whole responsibility for him. As one writer puts it, after describing the contributions of the church, the school, and the physician:

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[35] Dorothy Hutchinson, "Re-examination of Some Aspects of Case Work Practice in Adoption," *Child Welfare League of America Bulletin*, Vol. 25, pp. 4–7, 14 (Nov., 1946).

[36] Lionel C. Lane, "The 'Aggressive' Approach to Preventive Casework with Children's Problems," *Social Casework*, Vol. 33, pp. 61–66 (Feb., 1952), at p. 65. This article is the most explicit of a number that have appeared recently from the New York area advocating a more "aggressive" casework approach in cases involving children who show incipient behavior problems.

[37] "Trends in Differential Treatment in Social Casework," in *Principles and Techniques in Social Case Work* (cited above, n. 24), p. 337.

> Case work service is the thread that weaves through the complicated strands of these programs and ties their strength into a pattern of unified service for the child and his family.[38]

Another writes of the worker in the public assistance program:

> . . . we case workers must be on good working terms with the schools so they will feel free to turn to us when there is trouble that cannot be handled adequately in the school or directly with the mother. We can assist by helping interpret the situation to the parent, who is often too insecure, because of his own limited knowledge and experience or because of over-identification with his child, to work effectively with the school, or who has carried over his own childhood antagonisms to his child's schooling.[39]

This may be compared with the views of the former chief of the Bureau of Public Assistance:

> When the agency discusses a problem of health with the family physician, or housing with the landlord, or of a child's behavior with the teacher, the intrusion into any one of these community relationships, even by the most skilful worker, may impair the normal function of the family.[40]

Even though one of the last two statements relates to service requested by the school and the other to service initiated by the worker, depreciation of the role of the parent and the assumption of responsibility for the lives of assistance recipients are implicit in the former. This depreciation of the client is also apparent in the writings of practitioners who speak of the children of public assistance clients as "wards of the community," or state that 93 per cent of families receiving aid to dependent children need "additional services," but are not to be allowed to fall into that category "in which problems are obvious to the worker but . . . appear not to be subject to social treatment"—such cases are to be referred to protective agencies who will presumably solve their problems—or finally, that public assistance with its unpleasant concomitants of investigation and its quasi-charitable nature, from which it can never quite escape, should be preferred to an extension of social insurance because the clients in this case would not be receiving "services."[41]

Yet diagnostic casework insists on its democratic nature. To quote Miss Hamilton again:

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[38] Elizabeth Deuel, "The Content of Child Welfare Services," in *Child Welfare at the Crossroads*, U. S. Children's Bureau, Federal Security Agency, 1949. It is interesting to note within the U. S. Department of Health, Education, and Welfare (formerly the Federal Security Agency) the predominantly functional approach of the Bureau of Public Assistance and the equally strong diagnostic or organismic views of the U. S. Children's Bureau.

[39] Frieda W. Riggs, "In the Service of Children," *Journal of Social Casework*, Vol. 28, pp. 21–26 (Jan., 1947), at p. 23.

[40] Jane M. Hoey, quoted by Josephine M. Gandelman, "Care of Children in Their Own Homes," *Round-Up* (Proceedings of the Southwestern Regional Conference, American Public Welfare Association, Fort Worth, 1949), p. 64.

[41] Quotations all from *Public Welfare*, respectively from Rudolph T. Danstedt, "A Possibility for Social Rehabilitation," Vol. 10, pp. 46–48 (April, 1952); Constance M. Swander, "A Study of Services Needed in a Public Assistance Caseload, Vol. 5, pp. 194–99, 215 (Sept., 1947); and Marjorie J. Smith, "The Place of Services in the Public Assistance Program," Vol. 9, pp. 161–63, 170 (Aug., 1951).

> Casework has an honorable record in our democracy and must play a significant role in any free society. That casework would be meaningless in any but a free society I am sure you agree, for casework postulates values in individual development for full socialized capacities.[42]

Miss Reynolds had also seen in social casework's new-found psychiatric knowledge the hope of a new democracy. She had, however, insisted on accepting this knowledge with due humility.[43] This may tend to illuminate what appears to be a disparity between consciously expressed ends and the implications of recommended practice. The passages quoted from Miss Hutchinson and Mr. Lane show little humility, nor is it humble to believe that one has within one's grasp a key which may finally solve all problems, including those of the ends as well as the means. It is possible that Miss Reynolds was so much concerned with obviating the more obvious types of oppression—commands, persuasions, and threats—that she failed to see what Mr. Lane calls "the subtle [authority] that goes with professional skill and knowledge of the dynamics of human behavior."[44] Miss Reynolds, in her latest book, seems a little defensive. She entitles one chapter "Is Diagnosis an Imposition?" She believes that it is not because it "is not imposing the thinking of a stranger with alien interests, but weaving together the threads that both client and case worker draw from life and work on together."[45] This, however, postulates an equality between client and social worker that is hard to make effective, particularly where social differences actually exist, and requires that the social worker claim no special competence. It would appear more likely that diagnostic casework is turning from "relationship as a new environment which gives the client opportunity to work out his own problems" to "a . . . relationship in which the worker manipulates the client's inner life"—the two directions in which Miss Robinson saw that it might develop—because a positivistic approach to the problems of man's nature cannot remain humble for long. The claim to special competence has clearly been made.

At this point the basic tenets related to practice of these two schools of thought may be summarized as our material discloses them. Names in parentheses refer to the authors of articles quoted.

Functional	*Diagnostic*
1. Sees man as a rational being, potentially, at least, capable of making choices about his social life himself. (Pray)	1. Sees man as basically irrational and increasingly believes that he must be helped to make choices which will, in the last analysis, be what he would have made if he were rational. (Hutchinson, Lane)
2. Believes that man's right to make these choices or to refuse to make them, except	2. Sees man's right to make choices to be dependent on whether society, through

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[42] Hamilton, "The Underlying Philosophy of Social Casework" (cited above, n. 24), p. 7.

[43] Reynolds, *Re-Thinking Social Case Work* (cited above, n. 3), p. 7.

[44] Lane, article cited in n. 36.

[45] Reynolds, *Social Work and Social Living* (New York, 1951), p. 109.

when required to do so by law, is a right which can only be removed by legal proscription, as in the case of an imbecile. (Smith, Hoey)	the caseworker, believes that this is in his interest. (Hollis)
3. Believes that the outcome of social service must be unpredictable in the individual case. (Pray, Taft)	3. Believes that goals for treatment in which the client's participation is pragmatically valuable should be devised in every case. (Austin, Hollis, Hamilton)
4. Accepts responsibility only for immediate and partial problems. (Marcus, Smalley)	4. Accepts responsibility for "the whole man," and "whole" responsibility for him. (Deuel)
5. Sees man's ability to make choices as arising from exercise of his will. (Pray)	5. Believes that man can be rational only as he becomes "adjusted to reality". (Hamilton, Hollis)
6. Claims no scientific knowledge of what human beings are, but does claim that its methods are empirically valid. (Taft)	6. Claims scientific knowledge of human beings and believes that ultimately this knowledge will be complete. (Hamilton)

The society implied by the writings of the functional school is one in which man has freedom of choice as far as the state's right to dictate that choice is concerned; is constrained only by the rule of law, or of his own conscience; has political and natural rights, and is in no way subjected to the direction of others because he may become socially or financially in need of help. The state, through its welfare agency, is seen as both providing certain benefits to which a man has legal rights and offering help in making use of these services. No man is required to use help if he does not want it. He is free to reject help at any point that he desires. Nor is he constrained to receive more help than he asks for—service along with assistance or psychotherapy with relief. The very acceptance of a limited and partial responsibility on the part of the agency also recognizes implicitly the place of other reformatory or helping influences in man's life: religion, education, or the law.

Diagnostic social work, on the other hand, believes that it has, or will be able to find, the ultimate explanation of man's nature in psychoanalytic theory. Although it professes a belief in democracy, the freedom to which it looks forward is a freedom from neurosis and its goal is a person who makes "satisfying social relationships" or is "adapted to reality" and is therefore presumably more rational than he would be if left alone. This implies that those who need the services of the state in any social matter are sick and can only be made well through the help of a class of trained, objective, neurosis-free officials. In this only the social worker or the psychiatrist is effective. Other disciplines, such as education, the law, and the church are reduced to the status of tools to be used by the social worker as instruments in this "freeing" process.

This philosophy has demonstrably resulted already in a number of practices which are basically inimical to liberty in its political sense—such as the ignoring of due process of law in the juvenile courts and the invasion of privacy where the social worker believes the client not to know his own need for service.

Parents have been refused access to children whose legal custody they have never lost where the worker believes this to be in the child's interest. The real danger does not lie, however, in the well-intentioned infringements of personal liberty that have already taken place, which are certainly no worse but rather better than what happened when "the poor" were thought of as sinners without rights. It lies more in the fact that once a positivist science becomes the rule of law, or once a group in our society arrogates to itself the right to judge or to treat another by the findings of such a science, no end to the process is in sight. What happens depends almost entirely on the good will of the self-appointed "social physician." As the supposed knowledge of this group advances, the relation of patient and doctor tends inevitably to a benevolent or paternalistic dictatorship by those who possess the acceptable knowledge. While we can accept this in relation to our bodies, something very different happens when the subject of the treatment becomes not only our daily needs but our most vital human relationships. Such a power, too, is never free from the danger of becoming irresponsible. In less scrupulous hands, positivist science can be perverted to serve bad as well as worthy ends, and since the only appeal is to the science itself or to the human failings of those who administer it, there is no way to check its growth. Particularly might this be so where the "science" in question is one about which there can be such wide disagreement as there is about modern psychiatry, and which postulates man to be basically irrational. *Quis custodiet custodes?* Which irrational man shall decide what true reason is?

While it is true that most social workers have some feeling for human rights, and that psychoanalytic theory at the present upholds these rights for their pragmatic value, it may well be questioned what guarantees exist that this state of affairs will continue. Already some tendency to minimize rights is apparent. In view of the pervasive nature of the powers involved and the increasing number of persons affected, this cannot but give rise to concern.

REASON AND POWER IN BENJAMIN FRANKLIN'S POLITICAL THOUGHT

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Perhaps no period of modern history has been more a victim of generalization than the Age of Enlightenment. The worship of reason and progress and belief in the essential goodness and perfectibility of human nature are most commonly associated with the 18th century climate of opinion. Many of the stereotypes which have been applied to it have automatically been transferred to Benjamin Franklin. Already to contemporaries of his old age, Franklin seemed the very personification of the Age of Reason. Condorcet, who had known Franklin personally, summed up his description of Franklin's political career as follows: "In a word, his politics were those of a man who believed in the power of reason and the reality of virtue."[1] In Germany, an admirer was even more enthusiastic: "Reason and virtue, made possible through reason alone, consequently again reason and nothing but reason, is the magic with which Benjamin Franklin conquered heaven and earth."[2] This is also the judgment of posterity. F. L. Mott and Chester E. Jorgensen, who have so far presented the most acute analysis of Franklin's thought and its relationship to the intellectual history of his time, do not hesitate to call him "the completest colonial representative" of the Age of Enlightenment.[3] Unanimous agreement seems to exist that Franklin was "in tune with his time."[4]

This essay will attempt to show that these generalizations, instead of illuminating the essence of Franklin's moral and political philosophy, tend rather to obscure some of the mainsprings of his thought and action. Our investigation rests upon the assumption that man's understanding of politics is inseparable from his conception of human nature. Consequently, this reappraisal of Franklin's political thought will subject his views on human nature to close scrutiny; it is hoped that this procedure may lead to a rejection of some of the cliches to which he has fallen victim.

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[1] *Oeuvres du Marquis de Condorcet*, eds. A. Condorcet O'Connor and M. F. Arago, 2nd ed., 12 vols. (Paris, 1847–49), Vol. 3, p. 420.

[2] Georg Forster, "Erinnerungen aus dem Jahre 1790," in "Kleine Schriften," *Georg Forsters saemmtliche Schriften*, ed. by his daughter, 9 vols. (Leipzig, 1843), Vol. 6, p. 207.

[3] *Benjamin Franklin, Representative Selections with Introduction, Bibliography, and Notes*, eds. F. L. Mott and Chester E. Jorgenson (New York, 1936), p. xiii.

[4] Carl Becker, review of the Franklin Institute's *Meet Dr. Franklin*, in *American Historical Review*, Vol. 50, p. 142 (Oct., 1944). Cf. Henry Steele Commager's statement that it was the faith in reason which gave unity to Franklin's life. "Franklin, the American," review of Carl Van Doren's *Benjamin Franklin*, in *New York Times Book Review*, Oct. 9, 1938, p. 1. Charles A. Beard explicitly referred to Franklin as an outstanding example of American writers on progress. Introduction to J. B. Bury, *The Idea of Progress* (New York, 1932), p. xxxvii.

I. THE "GREAT CHAIN OF BEING"

Many of the notions which are commonly applied to the 18th century, such as the belief in progress and in the perfectibility of human nature, are significant chiefly with respect to the currents of thought and action related to the American and French Revolutions, and do little to deepen our understanding of earlier developments. So it is to the first half of the 18th century that we must now turn. We are prone to overlook the extraordinary difference in age which separated Franklin from the other Founding Fathers of the Republic. Franklin was born in 1706, twenty-six years before Washington, twenty-nine years before John Adams, thirty-seven years before Jefferson, thirty-nine years before John Jay, forty-five years before James Madison, and fifty-one years before Alexander Hamilton.

Franklin's fame as a social and natural philosopher rests mainly on the achievements of his middle and late years. One needs to remember, however, that he was a moral philosopher long before he became a natural philosopher and before he advised his fellowmen how to acquire wealth.[5] At the age of twenty-two, he formed a "club for mutual improvement,"[6] the Junto, where great emphasis was laid on moral or political problems. Whether self-interest was the root of human action, whether man could attain perfection, whether "encroachments on the just liberties of the people"[7] had taken place—all these things were matters of discussion at Franklin's club. Already at the age of nineteen, during his first stay in London, he had printed his first independent opus, *A Dissertation on Liberty and Necessity, Pleasure and Pain.*[8] This piece showed that no trace was left of his Presbyterian family background. The secularization of his thought had been completed.[9] Gone were the Puritan belief in revelation and the Christian conception of human nature which, paradoxically, included the notion of the depravity of man, as well as of his uniqueness among all created beings.[10] Franklin's *Dissertation* shows that he was thoroughly acquainted with the leading ideas of his time. The early decades of the 18th century were characterized by the climate of opinion which has been aptly called "cosmic Toryism."[11] Pope's *Essay on Man* and many pages of Addison's *Spectator*—both of which Franklin admired—most perfectly set forth the creed of a new age. Overshadowing everything else, there was joy about the discoveries of the human mind, which had solved the enigma of creation:

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[5] Even after having achieved world-wide fame as a natural philosopher, he observed that we deserve reprehension if "we neglect the Knowledge and Practice of essential Duties" in order to attain eminence in the knowledge of nature. *The Writings of Benjamin Franklin*, ed. Henry Albert Smyth, 10 vols. (New York, 1905–7), Vol. 4, p. 22. (Hereafter cited as *Writings.*)

[6] *Autobiography*, *Writings*, Vol. I, p. 22

[7] James Parton, *Life and Times of Benjamin Franklin*, 2d ed., 2 vols. (Boston, 1897), Vol. I, p. 160. See also *Writings*, Vol. 2, p. 89. The authors who so far have most closely scrutinized Franklin's political thought do not see the relevance of many of the younger Franklin's remarks on human nature, arbitrary government, or the nature of political dispute to his concept of politics. See M. R. Eiselen, *Franklin's Political Theories* (Garden City, N. Y., 1928), p. 13; R. D. Miles, "The Political Philosophy of Benjamin Franklin," unpub. diss. (Univ. of Michigan, 1949), p. 36; *Benjamin Franklin, Representative Selections* (cited in note 3), p. lxxxii. The most recent work in this field, Clinton Rossiter's "The Political Theory of Benjamin Franklin," *Pennsylvania Magazine of History and Biography*, Vol. 76, pp. 259–93 (July, 1952), pays no attention to Franklin's conception of human nature and his attitude towards the problem of power and the ends of political life. Rossiter's contention (p. 268) is that Franklin "limited his own thought process to the one devastating question: *Does it work?*, or more exactly, *Does it work well?*" Franklin, however, like everybody else, had certain ends and goals in view, and the question "Does it work?" is meaningless without the context of certain basic desiderata.

[8] This little work has been omitted in the Smyth edition of Franklin's writings, because "the work has no value, and it would be an injury and an offence to the memory of Franklin to republish it." *Writings*, Vol. 2, p. vi. It is, however, reprinted as an appendix to Parton, *op. cit.*, Vol. 1, and has since been republished independently with a bibliographical note by Lawrence C. Wroth (New York, 1930).

> Nature and Nature's Laws lay hid in Night:
> GOD said, *Let Newton be!* and all was Light.[12]

The perfection of that Great Machine, the Newtonian universe, filling humanity with admiration for the Divine Watchmaker, seemed to suggest that this world was indeed the best of all possible worlds. Everything was necessary, was good. Pope's "Whatever is, is right," is the key phrase of this period. The goodness of the Creator revealed itself in His giving existence to all possible creatures. The universe "presented the spectacle of a continuous scale or ladder of creatures, extending without a break from the worm to the seraph."[13] Somewhere in this "Great Chain of Being," to use a favorite phrase of the period,[14] there must be a place for Man. Man, as it were, formed the "middle link" between lower and higher creatures. No wonder, then, that Franklin chose as a motto for his *Dissertation* the following lines of Dryden:

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[9] See Herbert Schneider, "The Significance of Benjamin Franklin's Moral Philosophy," *Columbia University Studies in the History of Ideas*, Vol. 2, p. 298 (1918).

[10] In his *Autobiography*, Franklin acknowledges his debt to Shaftesbury and Collins for becoming "a real doubter in many points of our religious doctrine." *Writings*, Vol. 1, p. 244. The question of Franklin's attitude toward the great moral philosophers and of their influence upon him is considerably more difficult to determine than the same question with regard to John Adams or Thomas Jefferson. With the exception of authors named in the *Autobiography*, comments on books Franklin read are extremely rare. His library has not been preserved; there is, however, a list of books known to have been in Franklin's library at the time of his death (compiled by Dr. George Simpson Eddy in Princeton University; photostat in the library of the American Philosophical Society in Philadelphia). See also Mr. Eddy's article, "Dr. Benjamin Franklin's Library," *Proceedings of the American Antiquarian Society*, new series, Vol. 34, pp. 206–26 (Oct., 1924). Except for comments in some English pamphlets, there exist nothing like the voluminous marginal notes of John Adams and Jefferson. Also he was not able to keep up a correspondence like Adams' or Jefferson's, discussing great problems from the perspective of a long life in retirement after the great events of their lives had taken place. Immersed in public business almost until his death, Franklin does not seem to have had much time left over for reading. Benjamin Rush told John Adams that "Dr. Franklin thought a great deal, wrote occasionally, but read during the middle and later years of his life very little." October 31, 1807, in Benjamin Rush, *The Letters of Benjamin Rush*, ed. L. H. Butterfield, 2 vols. (Princeton, 1951), Vol. 2, p. 953. For a compilation of the authors with whom Franklin was acquainted, see Lois Margaret MacLaurin, *Franklin's Vocabulary* (Garden City, N.Y., 1928), Ch. 1, and *Benjamin Franklin, Representative Selections* (cited in note 3), p. lv.

[11] Basil Willey, *The Eighteenth Century Background* (London, 1940), Ch. 3, *passim*.

[12] Pope's epitaph intended for Newton's tomb.

[13] Willey, *op. cit.*, pp. 47–48.

> Whatever is, is in its Causes just,
> Since all Things are by Fate; but purblind Man
> Sees but a part o' th' Chain, the nearest Link,
> His Eyes not carrying to the equal Beam
> That poises all above.[15]

The consequences of the conception of the universe as a "Great Chain of Being" for Franklin's understanding of human nature are highly significant. To be sure, man had liberated himself from the oppression of Original Sin, and in his newly established innocence he hailed the Creator and praised the Creation. But if the depravity of human nature had been banished, so had man's striving for redemption, man's aspiration for perfection. There was nothing left which ought to be redeemed. Indeed, in the new rational order of the universe, it would not seem proper to long for a higher place in the hierarchy of beings. Man's release from the anguish of Original Sin was accompanied by a lowering of the goals of human life. "The imperfection of man is indispensable to the fullness of the hierarchy of being." Man had, so to speak, already attained the grade of perfection which belonged to his station. From the point of view of mortality, then, what this amounted to was a "counsel of imperfection—an ethics of prudent mediocrity."[16]

Quiet contentment with, and enjoyment of, one's place in the Great Chain of Being must have been a comforting creed for the wealthy and educated classes of the Augustan Age:

> Order is Heav'n's first law; and this confest,
> Some are, and must be, greater than the rest,
> More rich, more wise.[17]

This was not the optimism of progress, which we usually associate with the eighteenth century. It was an optimism of acceptance;[18] for the rich and complacent, the real and the good seemed indeed to coincide.

Not so for Benjamin Franklin. Late in his life, in 1771, he referred to "the poverty and obscurity in which I was born and bred." His innate desire for justice and equality, his keen awareness of existing conditions of injustice and inequality, finally his own experience of things which he could not possibly call just or good—for instance, he tells us that his brother's "harsh and tyrannical treatment of me might be a means of impressing me with that aversion to arbitrary power that has stuck to me through my whole life"[19]—all this contravened the facile optimism of the Augustan Age.

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[14] See A. O. Lovejoy, *The Great Chain of Being* (Cambridge, Mass., 1936). This brilliant analysis of that complex of ideas has been applied to Franklin only once, although it offers important clues for an understanding of Franklin's conception of human nature. Arthur Stuart Pitt in "The Sources, Significance, and Date of Franklin's 'An Arabian Tale,'" *Publications of the Modern Language Association*, Vol. 57, pp. 155–68 (March, 1942), applies Lovejoy's analysis to one piece of Franklin's and does not refer to relevant writings of Franklin's youth in which this idea may also be found. Pitt's article is valuable in pointing out the sources from which Franklin could have accepted the idea directly, namely Locke, Milton, Addison, and Pope.

[15] Parton, *Life and Times of Benjamin Franklin* (cited in note 7), Vol. 1, p. 605.

[16] Lovejoy, *op. cit.*, pp. 199, 200.

[17] Alexander Pope, "An Essay on Man," Epistle 4, in *Selected Works*, Modern Library ed. (New York, 1948), p. 127.

[18] Willey, *op. cit.*, p. 56.

Franklin, indeed, accepted the cosmological premises of his age (as witness the above quoted motto of the *Dissertation*). But his conclusions make the edifice of "Cosmic Toryism"—so imposing in Pope's magnificent language—appear a mockery and an absurdity. Franklin's argumentation was simple enough: God being all-powerful and good, man could have no free will, and the distinction between good and evil had to be abolished. He also argued that pain or uneasiness was the mainspring of all our actions, and that pleasure was produced by the removal of this uneasiness. If followed that "*No State of Life can be happier than the present, because Pleasure and Pain are inseparable.*" The unintentional irony of this brand of optimism cannot be better expressed than in young Franklin's conclusion:

> I am sensible that the Doctrine here advanc'd, if it were to be publish'd, would meet with but an indifferent Reception. Mankind naturally and generally love to be flatter'd: Whatever sooths our Pride, and tends to exalt our Species above the rest of the Creation, we are pleas'd with and easily believe, when ungrateful Truths shall be with the utmost Indignation rejected. "What! bring ourselves down to an Equality with the Beasts of the Field! With the *meanest* part of the Creation! 'Tis insufferable!" But, (to use a Piece of *common* Sense) our *Geese* are but *Geese* tho' we may think 'em *Swans;* and Truth will be Truth tho' it sometimes prove mortifying and distasteful.[20]

The dilemma which confronted him at the age of nineteen is characteristic of most eighteenth-century philosophy: "If nature is good, then there is no evil in the world; if there is evil in the world, then nature so far is not good."[21]

Franklin cut this Gordian knot by sacrificing "Reason" to "Experience." He turned away from metaphysics for the quite pragmatic reason that his denial of good and evil did not provide him with a basis for the attainment of social and individual happiness:

> Revelation had indeed no weight with me, as such; but I entertain'd an opinion that, though certain actions might not be bad *because* they were forbidden by it, or good *because* it commanded them, yet probably these actions might be forbidden *because* they were bad for us, or commanded *because* they were beneficial to us. . . .[22]

To achieve useful things rather than indulge in doubtful metaphysical speculations, to become a doer of good—these, then, became the principal aims of Franklin's thought and action.[23]

This fundamental change from the earlier to the later Enlightenment—from passive contemplation to improvement, from a static to a dynamic conception of human affairs—did contribute to the substitution of the idea of human perfectibility for the idea of human perfection—a very limited kind of perfection, as we have seen; but it was by no means sufficient to bring about the faith in the perfectibility of human nature. Something else was needed: proof that "social evils were due neither to innate and incorrigible disabilities of the human being nor the nature of things, but simply to ignorance and prejudices."[24] The associationist psychology, elaborating Locke's theory of the malleability of human nature, provided the basis for the expansion of the idea of progress and perfectibility from the purely intellectual domain into the realm of moral and social life in general. The Age of Reason, then, presents us with a more perplexing picture than we might have supposed.

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[19] *Autobiography, Writings*, Vol. 1, pp. 226, 247 (n.1).

[20] Parton, *op. cit.*, Vol. 1, p. 617.

[21] Carl Becker, *The Heavenly City of the Eighteenth Century Philosophers* (New Haven, 1932), p. 69.

[22] *Autobiography, Writings*, Vol. 1, p. 296. See also *Writings*, Vol. 7, p. 412.

[23] See *Writings*, Vol. 1, p. 341; Vol. 2, p. 215; Vol. 3, p. 145; Vol. 9, p. 208; Vol. 10, p. 38.

Reason, after all, may mean three different things: reason as a faculty of man; reason as a quality of the universe; and reason as a temper in the conduct of human affairs.[25] We might venture the generalization that the earlier Enlightenment stressed reason as the quality of the Newtonian universe, whereas the later Enlightenment, in spite of important exceptions, exalted the power of human reason to mold the moral and social life of mankind.[26] Franklin's "reason," as we shall see presently, is above all a temper in the conduct of human affairs.

This discussion is important for a correct understanding of Franklin's position in the center of the cross-currents of the Age of Enlightenment. The fact that the roots of his thought are to be found in the early Enlightenment is not always realized, or, if realized, not always sufficiently explained. Julian P. Boyd, in his introduction to Carl Becker's biographical sketch of Franklin, states that Franklin and Jefferson believed "that men would be amenable to rational persuasion, that they would thereby be induced to promote their own and their fellows' best interests, and that, in the end, perfect felicity for man and society would be achieved."[27] These ideas are certainly suggestive of the later Enlightenment, and appear to be more applicable to Jefferson than to Franklin. Carl Becker himself asserts, somewhat ambiguously and with undue generalization, that Franklin "was a true child of the Enlightenment, not indeed of the school of Rousseau, but of Defoe and Pope and Swift, of Fontenelle and Montesquieu and Voltaire."[28] There is little evidence that this school prophesied the achievement of perfect felicity for man and society.

Bernard Mandeville, a personal acquaintance of Franklin, joined the chorus of those who proclaimed the compatibility of human imperfection and the general harmony. "Private Vices, Public Benefits" was the subtitle of his famous *Fable of the Bees*, which Franklin owned and probably read. Mandeville's paradoxical doctrines must have been a powerful challenge to Franklin's young mind. "The Moral Virtues," Mandeville asserted in terms reminiscent of Machiavelli, "are the Political Offspring which Flattery begot upon Pride." While arguing that men are actuated by self-interest and that this self-interest promotes the prosperity of society as a whole, Mandeville maintains a rigorous standard of virtue, declaring those acts alone to be virtuous "by which Man, contrary to the impulse of Nature, should endeavour the Benefit of others, or the Conquest of his own Passions out of a Rational Ambition of being good."[29]

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[24] Bury, *The Idea of Progress* (cited in note 4), p. 128.

[25] This distinction is Roland Bainton's. See his "The Appeal to Reason and the American Revolution," in *The Constitution Reconsidered*, ed. Conyers Read (New York, 1938), p. 121.

[26] Cf. A. O. Lovejoy's statement: "The authors who were perhaps the most influential and the most representative in the early and mid-eighteenth century, made a great point of reducing man's claims to 'reason' to a minimum." " 'Pride' in Eighteenth Century Thought," in *Essays in the History of Ideas* (Baltimore, 1948), p. 68.

[27] Carl Becker, *Benjamin Franklin* (Ithaca, 1946), p. ix.

[28] *Ibid.*, p. 31.

By making ethical standards so excessively rigorous, Mandeville rendered them impossible of observance, and indirectly (though intentionally) pointed out their irrelevance for practical life. The very rigor of his ethical demands in contrast to his practical devices suggests that Mandeville lacked "idealism." This was not the case with Franklin. The consciously paradoxical Mandeville could offer no salvation for the young Franklin caught on the horns of his own dilemma. Shaftesbury, Mandeville's *bête noire*—whose works were already familiar to Franklin—had a more promising solution. In his *Inquiry Concerning Virtue or Merit* (1699), Shaftesbury had asserted that man by nature possesses a faculty to distinguish and to prefer what is right—the famous "moral sense."

Franklin's option for Shaftesbury was made clear from his reprinting two dialogues "Between Philocles and Horatio, . . . concerning Virtue and Pleasure" from the *London Journal* of 1729 in the *Pennsylvania Gazette* of 1730. In the second dialogue, reason was described as the chief faculty of man, and reasonable and morally good actions were defined as actions preservative of the human kind and naturally tending to produce real and unmixed happiness. These dialogues until recently have been held to be Franklin's own work; however, a reference in the *Autobiography* to a "Socratic dialogue" and "a discourse on self-denial," traditionally interpreted as concerning the two dialogues between Philocles and Horatio, recently has been shown to concern two pieces published in the *Pennsylvania Gazette* of 1735. The first piece is a dialogue between Crito and Socrates, never before correctly attributed to Franklin, in which he asserted that the "SCIENCE OF VIRTURE" was "of more worth, and of more consequence" to one's happiness than all other knowledge put together; in the second piece, a discourse on self-denial, Franklin combated the (Mandevillean) idea that "the greater the *Self-Denial* the greater the Virtue." Thirty-three years later, Franklin was still following Shaftesbury when he exhorted: "Be in general virtuous, and you will be happy." However, we shall see later that Franklin, in the last analysis, was not as far removed from Mandeville's pessimism as these cheerful views would suggest. His was a sort of middle position between Mandeville's "realism" and Shaftesbury's "idealism."[30]

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[29] Bernard Mandeville, *The Fable of the Bees*, ed. F. B. Kaye, 2 vols. (Oxford, 1924), Vol. 1, pp. 48–49, 51. Franklin owned Mandeville's work, according to a list in the Mason-Franklin Collection of the Yale University Library. He was introduced to Mandeville during his first stay in London. *Writings*, Vol. 1, p. 278.

[30] The proof that the two dialogues between Philocles and Horatio were not written

II. THE IDEA OF PROGRESS

The restraining influence of the idea of the Great Chain of Being retained its hold on Franklin after his return to a more conventional recognition of good and evil. In his "Articles of Belief" of 1728 he said that "Man is not the most perfect Being but one, rather as there are many Degrees of Beings his Inferiors, so there are many Degrees of Beings superior to him."[31] Franklin presented the following question and answers to the discussions in the Junto:

> Can a man arrive at perfection in his life, as some believe; or is it impossible, as others believe?
>
> *Answer.* Perhaps they differ in the meaning of the word *perfection*. I suppose the perfection of any thing to be only the greatest the nature of the thing is capable of. . . .
>
> If they mean a man cannot in this life be so perfect as an angel, it may be true; for an angel, by being incorporeal, is allowed some perfections we are at present incapable of, and less liable to some imperfections than we are liable to. If they mean a man is not capable of being perfect here as he is capable of being in heaven, that may be true likewise. But that a man is not capable of being so perfect here, is not sense. . . . In the above sense, there may be a perfect oyster, a perfect horse, a perfect ship; why not a perfect man? That is, as perfect as his present nature and circumstance admit.[32]

We note here the acknowledgment of man's necessarily "imperfect" state of perfection. However, it is striking to see that Franklin refused to employ this theory as a justification of the status quo. Within certain bounds, change, or progress for the better, was possible. Many years later, Franklin was to use exactly the same argument in the debate on the status of America within the British Empire. A pro-English writer had presented the familiar argument of "Cosmic Toryism" (and of conservatism in general, of course): "To expect perfection in human institutions is absurd." Franklin retorted indignantly: "Does this justify any and every Imperfection that can be invented or added to our Constitution?"[33]

This attitude differs from the belief in moral progress and perfectibility. There are, however, some passages in Franklin's later writings, better known than the preceding ones, which seem to suggest his agreement with the creed of moral progress and perfectibility. Two years before his death, looking with considerable satisfaction upon the achievements of his country and his own life, he explained to a Boston clergyman his belief in "the growing felicity of mankind, from the improvements in philosophy, morals, politics"; he also stressed "the invention and acquisition of new and useful utensils and instru-

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by Franklin and the identification of the two other pieces have been furnished by Alfred O. Aldridge, "Franklin's 'Shaftesburian' Dialogues Not Franklin's: A Revision of the Franklin Canon," *American Literature*, Vol. 21, pp. 151–59 (May, 1949). See also *Writings*, Vol. 1, p. 343; Vol. 2, pp. 168–69. The discourse on self-denial is printed in *The Complete Works of Benjamin Franklin*, ed. John Bigelow, 10 vols. (New York, 1887–88), Vol. 1, pp. 414–17. The last quote, written in 1768, is in *Writings*, Vol. 5, p. 159.

[31] *Writings*, Vol. 2, p. 92; see also Vol. 10, p. 124 and note 14, above.

[32] *The Works of Benjamin Franklin*, ed. Jared Sparks, 10 vols. (Boston, 1836–40), Vol. 2, p. 554.

[33] Franklin's marginal notes in [Matthew C. Wheelock], *Reflections Moral and Political on Great Britain and the Colonies* (London, 1770), p. 48. Franklin's copy in the Jefferson Collection of the Library of Congress.

ments" and concluded that "invention and improvement are prolific. . . . The present progress is rapid." However, he immediately added: "I see a little absurdity in what I have just written, but it is to a friend, who will wink and let it pass."[34]

There remains, then, a wide gulf between this qualified view of human progress and the exuberant joy over the progress of man's rational and moral faculties so perfectly expressed in the lines of a good friend of Franklin's, the British non-conformist clergyman and philosopher, Joseph Priestley:

> Whatever was the beginning of this world, the end will be glorious and paradisiacal beyond what our imaginations can now conceive. Extravagant as some people may suppose these views to be, I think I could show them to be fairly suggested by the true theory of human nature and to arise from the natural course of human affairs.[35]

Franklin himself was well aware of this gulf. He distinguished sharply between man's intellectual progress and the steadily increasing power of man over matter, on the one hand, and the permanency of moral imperfection, on the other. He wrote to Priestley in 1782:

> I should rejoice much, if I could once more recover the Leisure to search with you into the works of Nature; I mean the *inanimate*, not the *animate* or moral part of them, the more I discover'd of the former, the more I admir'd them; the more I know of the latter, the more I am disgusted with them. Men I find to be a Sort of Beings very badly constructed, as they are generally more easily provok'd than reconcil'd, more disposed to do Mischief to each other than to make Reparation, much more easily deceiv'd than undeceiv'd, and having more Pride and even Pleasure in killing than in begetting one another.

He had begun to doubt, he continued, whether "the Species were really worth producing or preserving. . . . I know, you have no such Doubts because, in your zeal for their welfare, you are taking a great deal of pains to save their Souls. Perhaps, as you grow older, you may look upon this as a hopeless Project."[36]

One is struck by the remarkable constancy of Franklin's views on human nature. In 1787 he tried to dissuade the author of a work on natural religion from publishing it. In this famous letter, we may find the quintessence of Franklin's concept of human nature. There is little of the trust in human reason which is so generally supposed to be a mark of his moral teachings:

> You yourself may find it easy to live a virtuous Life, without the Assistance afforded by Religion; you having a clear perception of the Advantages of Virtue, and the Disadvantages of Vice, and possessing a Strength of Resolution sufficient to enable you to resist common Temptations. But think how great a Proportion of Mankind consists of weak and ignorant Men and Women, and of inexperienc'd, and inconsiderate Youth of both Sexes, who have need of the Motives of Religion to restrain them from Vice, and support their Virtue, and retain them in the Practice of it till it becomes *habitual*, which is the Great Point for its Security. . . . If men are so wicked as we now see them *with religion*, what would they be *if without it?*[37]

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[34] *Writings*, Vol. 9, p. 651. See also Vol. 9, pp. 489, 530; Vol. 1, p. 226.

[35] Quoted by Bury, *The Idea of Progress* (cited in note 4), pp. 221–22.

[36] *Writings*, Vol. 8, pp. 451–52.

[37] *Writings*, Vol. 9, pp. 521–22. See also Vol. 2, pp. 203, 393, and Vol. 9, pp. 600–1.

One is reminded of Gibbon's approval of conditions in the Rome of the Antonines, where all religions were considered equally false by the wise, equally true by the people, and equally useful by the magistrates.

III. THE BELIEF IN "REASON"

Reason as a temper in the conduct of human affairs counted much with Franklin, as we shall see later. However, reason as a faculty of the human mind, stronger than our desires or passions, counted far less. Often Franklin candidly and smilingly referred to the weakness of reason. In his *Autobiography*, he tells us of his struggle "between principle and inclination" when, on his first voyage to Philadelphia, his vegetarian principles came into conflict with his love of eating fish. Remembering that greater fish ate the smaller ones, he did not see any reason why he should not eat fish: "So convenient a thing it is to be a *reasonable creature*, since it enables one to find or make a reason for every thing one has a mind to do."[38]

Reason as a guide to human happiness was recognized by Franklin only to a limited degree.

> Our Reason would still be of more Use to us, if it could enable us to *prevent* the Evils it can hardly enable us to *bear*.—But in that it is so deficient, and in other things so often misleads us, that I have sometimes been almost tempted to wish we had been furnished with a good sensible Instinct instead of it.[39]

Trial and error appeared to him more useful to this end than abstract reasoning. "We are, I think, in the right Road of Improvement, for we are making Experiments. I do not oppose all that seem wrong, for the Multitude are more effectually set right by Experience, than kept from going wrong by Reasoning with them." Another time he put it even more bluntly: "What assurance of the *Future* can be better founded than that which is built on Experience of the *Past?*"[40] His scepticism about the efficacy of "reason" also appears in his opinion that "happiness in this life rather depends on internals than externals; and that, besides the natural effects of wisdom and virtue, vice and folly, there is such a thing as a happy or an unhappy constitution."[41]

There remains one problem with regard to Franklin's rather modest view of the power of human reason in moral matters: his serenity—some might call it complacency—in spite of his awareness of the disorder and imperfection of human life. Sometimes, it is true, he was uneasy:

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[38] *Writings*, Vol. 1, p. 267. See also Vol. 5, p. 225, and Vol. 9, p. 512.

[39] *The Letters of Benjamin Franklin & Jane Mecom*, ed. Carl Van Doren (Princeton, 1950), p. 112.

[40] *Writings*, Vol. 9, p. 489, and Vol. 4, p. 250. On another occasion Franklin acknowledged the weakness of reason by the use of a pungent folk saying: "An Answer now occurs to me, for that Question of Robinson Crusoe's Man Friday, which I once thought unanswerable, *Why God no kill the Devil?* It is to be found in the Scottish Proverb, '*Ye'd do little for God an the Dell' were dead.*'" To John Whitehurst, New York, June 27, 1763. Unpub. letter in the Mason-Franklin Collection of the Yale University Library. Cf. also Vol. 3, pp. 16–17, Vol. 4, p. 120, and Vol. 6, p. 424.

[41] *Writings*, Vol. 3, p. 457. See also Vol. 9, p. 548.

> I rather suspect, from certain circumstances, that though the general government of the universe is well administered, our particular little affairs are perhaps below notice, and left to take the chance of human prudence or imprudence, as either may happen to be uppermost. It is, however, an uncomfortable thought, and I leave it.[42]

But on another occasion Franklin felt obliged to quiet the anxieties of his sister, who had been upset by his remark that men "are devils to one another":

> I meant no more by saying Mankind were Devils to one another, than that being in general superior to the Malice of the other Creatures, they were not so much tormented by them as by themselves. Upon the whole I am much disposed to like the World as I find it, & to doubt my own Judgment as to what would mend it. I see so much Wisdom in what I understand of its Creation and Government, that I suspect equal Wisdom may be in what I do not understand: And thence have perhaps as much Trust in God as the most pious Christian.[43]

Indeed, Franklin's pessimism does not contain that quality of the tragic sense of life which inevitably presents itself wherever a recognition of the discrepancy between man's actual depravity and the loftiness of his aspirations exists.

We suggest a threefold explanation for this phenomenon: first of all, as we have pointed out, the complex of ideas associated with the concept of the "Great Chain of Being," predominant at the time of Franklin's youth, worked in favor of bridging this gulf by lowering the goals of human endeavor. Secondly, the success story of his own life taught him that certain valuable things in human life can be achieved. Thirdly, we cannot help thinking that Franklin himself was endowed with that "happy constitution" which he deemed a requisite for true happiness in this life.

IV. THE PASSION OF PRIDE

Having discovered that Franklin acknowledged the imperfection of human reason and consequently the existence and importance of the passions to a greater degree than one might have supposed, let us specify in greater detail his insight into the nature of the two outstanding passions of social life, the desire for wealth and the desire for power—avarice and ambition. "That I may avoid Avarice and Ambition . . . —Help me, O Father," was Franklin's prayer in the "Articles of Belief" of 1728.[44]

The universal fame of Poor Richard and the description of Franklin's own "way to wealth" in his *Autobiography* (Franklin's account of his life ends with his arrival in London in 1757 for the first of his three great public missions in Europe) have led many people to see in Franklin only the ingenious businessman pursuing thrift for thrift's sake and money for money's sake. Nothing could be further from the truth than this conception. To be sure, he recognized the existence and the nature of avarice in unequivocal terms: "The Love of

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[42] Rev. L. Tyerman, *Life of the Rev. George Whitefield*, 2 vols. (London, 1876), Vol. 2, pp. 540–41, quoted in *Benjamin Franklin, Representative Selections* (cited in note 3), p. cxxxvi.

[43] *The Letters of Benjamin Franklin & Jane Mecom* (cited in note 39), pp. 124, 125–26. See also *Writings*, Vol. 2, p. 61; Vol. 4, p. 388; Vol. 9, p. 247.

[44] *Writings*, Vol. 2, p. 99.

Money is not a Thing of certain Measure, so as that it may be easily filled and satisfied. Avarice is infinite; and where there is not good Oeconomy, no Salary, however large, will prevent Necessity."[45] He denied, however, that desire for more wealth actuated his work. His early retirement from business (1748) to devote himself to the higher things of life—chiefly to public service and scientific research—seems to prove this point.

Franklin considered wealth essentially as means to an end. He knew that it was not easy "for an empty sack to stånd upright." He looked upon his fortune as an essential factor in his not having succumbed to corruption.[46] In a famous and often quoted letter to his mother, Franklin said that at the end of his life he "would rather have it said, *He lived usefully* than *He died Rich.*" At about the same time (two years after his retirement) he wrote to his printer friend William Strahan in England: "London citizens, they say, are ambitious of what they call *dying worth* a great sum. The very notion seems to me absurd."[47]

On the other hand, the motive of power and prestige found much earlier recognition in Franklin's writings; he even confessed candidly that he himself was not free from this desire and from the feeling of being superior to his fellowmen. At the age of sixteen, in his first secret contributions to his brother's *New-England Courant* (he wrote under the pseudonym Mrs. Dogood), he gave a satisfactory definition of what we nowadays would call lust for power, and what was in the eighteenth century called Pride:

> Among the many reigning Vices of the Town which may at any Time come under my Consideration and Reprehension, there is none which I am more inclin'd to expose than that of *Pride*. It is acknowledged by all to be a Vice the most hateful to God and Man. Even those who nourish it themselves, hate to see it in others. The proud Man aspires after Nothing less than an unlimited Superiority over his Fellow-Creatures.[48]

As Arthur O. Lovejoy has pointed out, the idea of Pride was frequently contemplated during the earlier half of the eighteenth century.[49] There are two different, though not unrelated, conceptions of Pride. First of all, it means "the most powerful and pervasive of all passions," which manifests itself in two forms: self-esteem and desire for the admiration of others. The second conception is closely connected with the idea of the Scale of Being; it means the generic Pride of man as such, the sin against the laws of order, of gradation, the revolt of man against the station which has been allotted to him by the Creator.

These different conceptions of Pride are indeed inseparable. In Franklin's own writings, the accent is on the first rather than on the second meaning.

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[45] *Writings*, Vol. 5, p 325.

[46] *The Letters of Benjamin Franklin & Jane Mecom* (cited in note 39), p. 123.

[47] *Writings*, Vol. 3, pp. 5, 6. Cf. Benjamin Rush to John Adams: "The Doctor was a rigid economist, but he was in every stage of his life charitable, hospitable, and generous." August 19, 1811, in *Letters of Benjamin Rush* (cited in note 10), Vol. 2, p. 1093.

[48] *Writings*, Vol. 2, pp. 18–19.

[49] Lovejoy, " 'Pride' in Eighteenth Century Thought," (cited in note 26), p. 62–68.

This topic runs through his work like a red thread. In 1729, at the age of 23, he wrote that "almost every Man has a strong natural Desire of being valu'd and esteem'd by the rest of his Species."[50] Observations in a letter written in 1751 testify to his keen psychological insight:

> What you mention concerning the love of praise is indeed very true; it reigns more or less in every heart, though we are generally hypocrites, in that respect, and pretend to disregard praise. . . . Being forbid to praise themselves, they learn instead of it to censure others; which is only a roundabout way of praising themselves. . . . This fondness for ourselves, rather than malevolence to others, I take to be the general source of censure. . . .[51]

Quite revealing with regard to our discussion is Franklin's well-known account of his project of an "Art of Virtue." His list of virtues to be practiced contained at first only twelve: "But a Quaker friend having kindly informed me that I was generally thought proud . . . I added *Humility* to my list. . . . I cannot boast of much success in acquiring the *reality* of this virtue, but I had a good deal with regard to the *appearance* of it."[52] His account of his rise in Pennsylvania's public life and politics reflects his joy and pride about his career. In 1737 he was appointed Postmaster of Philadelphia and Justice of the Peace; in 1744 he established the American Philosophical Society; in 1748 he was chosen a member of the Council of Philadelphia; in 1749 he was appointed Provincial Grandmaster of the Colonial Masons; in 1750 he was appointed one of the commissioners to treat with the Indians in Carlisle; and in 1751 he became a member of the Assembly of Pennsylvania. He was particularly pleased with this last appointment, and he admitted candidly that his ambition was "flatter'd by all these promotions; it certainly was; for, considering my low beginning, they were great things to me."[53]

There is no change of emphasis with respect to Pride during his long life. The old man of 78 denounces the evil of Pride with no less fervor, though with more self-knowledge, than the boy of 16:

> In reality, there is, perhaps, no one of our natural passions so hard to subdue as *pride*. Disguise it, struggle with it, beat it down, stifle it, mortify it as much as one pleases, it is still alive, and will every now and then peep out and show itself; you will see it, perhaps, often in this history; for even if I could conceive that I had compleatly overcome it, I should probably be proud of my humility.[54]

Furthermore, the experience of English political life which he acquired during his two protracted stays in England (from 1757 to 1762, and from 1765 to 1775) made an indelible impression on his mind. The corruption and venality in English politics and the disastrous blunders of English politicians which

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[50] *Writings*, Vol. 2, p. 108.

[51] *Writings*, Vol. 3, pp. 54–55.

[52] *Writings*, Vol. 1, p. 337.

[53] *Writings*, Vol. 1, p. 374. For Franklin's acknowledgment of his own political ambition, see *Writings*, Vol. 5, pp. 148, 206, 357; Vol. 9, pp. 488, 621.

[54] *Autobiography* (end of the part written in Passy, France, 1784), *Writings*, Vol. 1, p. 339.

Franklin traced back to this cause[55] probably were the main reasons why he advocated at the Federal Convention of 1787 what he himself said some might regard as a "Utopian Idea": the abolition of salaries for the chief executive. The reason he gave for advocating such a step has hitherto not been appreciated as being of crucial importance for an understanding of his political thought:

> There are two Passions which have a powerful Influence in the Affairs of Men. These are *Ambition* and *Avarice;* the Love of Power and the Love of Money. Separately, each of these has great Force in prompting Men to Action; but when united in View of the same Object, they have in many minds the most violent Effects. Place before the Eyes of such Men a Post of *Honour*, that shall at the same time be a Place of *Profit*, and they will move Heaven and Earth to obtain it.[56]

It has never been pointed out that this scheme of what might be called the "separation of passions" had been ripening in Franklin's mind for several years. The first expression of it is to be found early in 1783.[57] In 1784 he mentioned it several times, and it is in these statements that we find one of the few allusions to the concept of checks and balances in Franklin's thought. He recommended: "Make every place of *honour* a place of *burthen*. By that means the effect of one of the passions above-mentioned would be taken away and something would be added to counteract the other."[58]

V. THE NATURE OF POLITICS

Franklin's frequent praise of the general welfare did not blind him to the fact that most other people had a much narrower vision than his own. "Men will always be powerfully influenced in their Opinions and Actions by what appears to be their particular Interest," he wrote in his first tract on political economy, at the age of twenty-three.[59] Fortunately, one of the very few memoranda and notes dealing with the studies and discussions of young Franklin which have come to our knowledge directly concerns this problem. Franklin himself, in his *Autobiography*, gives us the text of "*Observations* on my reading history, in Library, May 19th, 1731" which, in his words, had been "accidentally preserv'd":

> That the great affairs of the world, the wars, revolutions, etc., are carried on and affected by parties.
>
> That the view of these parties is their present general interest, or what they take to be such.
>
> That the different views of these different parties occasion all confusion.
>
> That while a party is carrying on a general design, each man has his particular private interest in view.
>
> That as soon as a party has gain'd its general point, each member becomes intent upon

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[55] *Writings*, Vol. 10, p. 62. See also Vol. 5, pp. 100, 112, 117, 133. See also *Benjamin Franklin's Letters to the Press, 1758–1775*, ed. Verner W. Crane (Chapel Hill, 1950), pp. 59, 164, 232.

[56] *Writings*, Vol. 9, p. 591.

[57] *Writings*, Vol. 9, p. 23.

[58] *Writings*, Vol. 9, p. 170. See also *ibid.*, pp. 172 and 260.

[59] *Writings*, Vol. 2, p. 139.

> his particular interest; which, thwarting others, breaks that party into divisions, and occasions more confusion.
>
> That few in public affairs act from a mere view of the good of their country, whatever they may pretend; and, tho' their actings bring real good to their country, yet men primarily considered that their own and their country's interest was united, and did not act from a principle of benevolence.
>
> That fewer still, in public affairs, act with a view for the good of mankind. . . . [60]

These lines do not mirror Shaftesbury's benevolent altruism; Franklin's contention that men act primarily from their own interest "and . . . not . . . from a principle of benevolence," "tho' their actings bring real good to their country," strongly suggests the general theme of Mandeville's work: "Private vices, public benefits."

Many decades after the foregoing observations, the contrast between Franklin's views on politics and those of the enlightened rationalism of contemporary France is clearly expressed in a discussion with the French physiocrat Dupont de Nemours. Dupont had suggested that the Federal Convention be delayed until the separate constitutions of the member states were corrected —according to physiocratic principles, of course. Franklin mildly observed that "we must not expect that a new government may be formed, as a game of chess may be played." He stressed that in the game of politics there were so many players with so many strong and various prejudices, "and their particular interests, independent of the general, seeming so opposite," that "the play is more like *tric-trac* with a box of dice."[61] In public, and when he was propagandizing for America in Europe, Franklin played down the evils of party strife: after the end of the War of Independence he conceded somewhat apologetically that "it is true, in some of the States there are Parties and Discords." He contended now that parties "are the common lot of Humanity," and that they exist wherever there is liberty; they even, perhaps, help to preserve it. "By the Collision of different Sentiments, Sparks of Truth are struck out, and Political Light is obtained."[62]

In private, Franklin did not conceal his suspicion that "unity out of discord" was not as easily achieved as his just quoted method of obtaining "political light" might suggest. But he certainly did not believe that passions and prejudices always, or even usually, overrule enlightened self-interest. He held that "there is a vast variety of good and ill Events, that are in some degreee the Effects of Prudence or the want of it."[63] He believed that "reasonable sensible Men, can always make a reasonable scheme appear such to other reasonable Men, if they take Pains, and have Time and Opportunity for it. . ." However, this dictum is severely limited by the conclusion: ". . . unless from some Circumstance their Honesty and Good Intentions are suspected."[64] That Franklin thought those circumstances to exist frequently, we learn from a famous message to George Washington, written in France in 1780. He told Washington how much the latter would enjoy his reputation in France, "pure and free from those little Shades that the Jealousy and Envy of a Man's Countrymen and Cotemporaries are ever endeavouring to cast over living Merit."[65]

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[60] *Writings*, Vol. 1, pp. 339–40. Cf. also Vol. 2, p. 196, and Vol. 4, p. 322.

[61] *Writings*, Vol. 9, p. 659; see also p. 241.

[62] *Writings*, Vol. 10, pp. 120–21. See also Vol. 4, p. 35.

[63] *Writings*, Vol. 7, p. 358.

[64] *Writings*, Vol. 3, pp. 41–42.

Although Franklin himself talked so much about "Common Interests," he could be impatient when others built their arguments on this point. He observed that "it is an Insult on common sense to affect an Appearance of Generosity in a Matter of obvious Interest."[66] This belief in self-interest as a moving force of politics appears with rare clarity in marginal notes in a pamphlet whose author argued that "if the Interests of Great Britain evidently raise and fall with those of the Colonies, then the Parliament of Great Britain will have the same regard for the Colonists as for her own People." Franklin retorted:

> All this Argument of the Interest of Britain and the Colonies being the *same* is fallacious and unsatisfactory. Partners in Trade have a *common* Interest, which is the same, the Flourishing of the Partnership Business: But they may moreover have each a *separate* Interest; and in pursuit of that *separate* Interest, one of them may endeavour to impose on the other, may cheat him in the Accounts, may draw to himself more than his Share of the Profits, may put upon the other more than an equal Share of the Burthen. Their having a common Interest is no Security against such Injustice. . . .[67]

VI. DEMOCRACY

It is fair to ask how Franklin's views on the above matters square with his avowal of radically democratic notions after 1775. In view of the foregoing, Franklin would not, it seems, agree with the underlying assumptions of Jeffersonian democracy, stated by Jefferson himself: "Nature hath implanted in our breasts a love of others, a sense of duty to them, a moral instinct, in short, which prompts us irresistibly to feel and to succor their distresses . . ." It was also Jefferson who believed "that man was a rational animal, endowed by nature with rights, and with an innate sense of justice."[68] On this faith in the rationality and goodness of man, the theory of Jeffersonian democracy has been erected. Vernon L. Parrington said of Franklin that "he was a forerunner of Jefferson, like him firm in the conviction that government was good in the measure that it remained close to the people."[69] Charles A. Beard, discussing the members of the Federal Convention, tells us that Benjamin Franklin "seems to have entertained a more hopeful view of democracy than any other member of that famous group."[70] All this must seem rather strange in view of the none too optimistic conception of human nature which we have found in Franklin. His radically democratic views after 1775—before that time his outlook seemed essentially conservative—baffled contemporary observers as it has later students.

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[65] *Writings*, Vol. 8, p. 28. Cf. the expression of the same idea 36 years earlier in *Writings*, Vol. 2, p. 242.

[66] *Benjamin Franklin's Letters to the Press* (cited in note 55), p. 183.

[67] Marginal comments in *Good Humour, or, A Way with the Colonies* (London, 1766), pp. 26–27. Franklin's copy is in the library of the Historical Society of Pennsylvania, Philadelphia. This comment is reprinted in *A Collection of the Familiar Letters and Miscellaneous Papers of Benjamin Franklin*, ed. Jared Sparks (Boston, 1833), p. 229.

[68] Jefferson to Thomas Law, June 13, 1814, and to Judge William Johnson, June 12, 1823, quoted by Adrienne Koch, *The Philosophy of Thomas Jefferson* (New York, 1943), pp. 19, 139.

[69] Vernon L. Parrington, *The Main Currents of American Thought*, 3 vols. (New York, 1930), Vol. 1, pp. 176–77.

There is, as a matter of fact, plenty of evidence of Franklin's sincere devotion to monarchy during the greater part of his life. It was the most natural thing for him to assure his friend, the famous Methodist preacher George Whitefield, that a settlement of colonies on the Ohio would be blessed with success "if we undertook it with sincere Regard to . . . the Service of our gracious King, and (which is the same thing) the Publick Good."[71] Franklin loved to contrast the corruption of Parliament and the virtues of George III. To an American friend, he said that he could "scarcely conceive a King of better Dispositions, of more exemplary virtues, or more truly desirous of promoting the Welfare of all his Subjects."[72]

Another "conservative" aspect of Franklin which cannot be glossed over lightly is his acceptance of the Puritan and mercantilistic attitude towards the economic problems of the working class. Throughout his life he was critical of the English Poor Laws. He deplored "the proneness of human nature to a life of ease, of freedom from care and labour," and he considered that laws which "*compel the rich to maintain the poor*" might possibly be "fighting against the order of God and Nature, which perhaps has appointed want and misery as the proper punishments for, and cautions against, as well as necessary consequences of, idleness and extravagance."[73] This was written in 1753. But as late as 1789, long after he had come out for the political equality of the poor and for a radical theory of property, he still confirmed to an English correspondent that "I have long been of your opinion, that your legal provision for the poor is a very great evil, operating as it does to the encouragement of idlenesss."[74]

Franklin's endorsement of democracy is most emphatically revealed in his advocacy of a unicameral legislature for the Commonwealth of Pennsylvania, as well as for the federal government. The issue of unicameral versus bicameral legislative bodies—an issue much discussed in the latter decades of the eighteenth century—reflected faithfully, as a rule, the clash of views of two different theories of human nature and of politics. The bicameral system was based on the principle of checks and balances; a pessimistic view of human nature naturally would try to forestall the abuse of power in a single and all-powerful assembly. On the other hand, most of those who trusted in the faculties of human reason did not see the necessity for a second chamber to check and harass the activities of a body of reasonable men.

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[70] Charles A. Beard, *An Economic Interpretation of the Constitution* (New York, 1913), p. 197.

[71] *Writings*, Vol. 3, p. 339. See also Vol. 2, pp. 377–78; Vol. 4, pp. 94, 213.

[72] *Writings*, Vol. 5, p. 204. See also Vol. 5, p. 261. Another sign of Franklin's anti-radical attitude during his stay in England is his disgust with the Wilkes case. See *Writings*, Vol. 5, pp. 121, 133, 134, and 150. Also *Letters and Papers of Benjamin Franklin and Richard Jackson, 1753–1785*, ed. Carl Van Doren (Philadelphia, 1947), p. 139.

[73] *Letters and Papers of Benjamin Franklin and Richard Jackson*, *op. cit.*, pp. 34, 35.

[74] *Writings*, Vol. 10, p. 64. See for an elaboration of his arguments "On the Labouring Poor," *Writings*, Vol. 5, pp. 122–27, and "On the Price of Corn, and Management of the Poor," *Writings*, Vol. 5, pp. 534–39.

In the case of Franklin, however, this correspondence of political convictions with views on human nature is lacking. He was the president of the Pennsylvania Convention of 1776 which—almost uniquely among the American states—set up a unicameral system. This, of course, filled many of the French *philosophes* with great joy. Franklin, they supposed, had secured a triumph of enlightened principles in the new world. Condorcet, in his "Éloge de Franklin," had this to say:

> Franklin's voice alone decided this last provision. He thought that as enlightenment would naturally make rapid progress, above all in a country to which the revolution had given a new system, one ought to encourage the devices of perfecting legislation, and not to surround them with extrinsic obstacles. . . . The opinion contrary to his stands for that discouraging philosophy which considers error and corruption as the habitual state of societies and the development of virtue and reason as a kind of miracle which one must not expect to make enduring. It was high time that a philosophy both nobler and truer should direct the destiny of mankind, and Franklin was worthy to give the first example of it.[75]

As a matter of fact, it has since been shown that Franklin, who at the time of the Pennsylvania Convention also served in the Continental Congress, played a minor role in the adoption of the unicameral system. The unicameral legislature was rooted in the historical structure of Pennsylvania's proprietary government.[76] This, however, is irrelevant from our point of view, since Franklin endorsed and defended the unicameral system in his "Queries and Remarks respecting Alterations in the Constitution of Pennsylvania," written in November, 1789.[77]

In the opposition to checks and balances and a second chamber, Franklin's most famous companion was Thomas Paine, author of *The Age of Reason.* This similarity of views between Franklin and one of the most vocal spokesmen of the creed of reason and the perfectibility of man perhaps contributes to the misinterpretation of Franklin's position among the eighteenth-century philosophers. Paine's arguments against the system of checks and balances and for a single house were characteristic of the later Enlightenment:

> Freedom is the associate of innocence, not the companion of suspicion. She only requires to be cherished, not to be caged, and to be beloved is, to her, to be protected. Her residence is in the undistinguished multitude of rich and poor, and a partisan to neither is the patroness of all.[78]

This argument, of course, presupposes the rationality and goodness of human nature. We might perhaps agree with Paine that "no man was a better judge of human nature than Franklin,"[79] but Paine certainly did not have Franklin's conception of human nature.

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[75] *Oeuvres de Condorcet* (cited in note 1), Vol. 3, pp. 401–2.

[76] See J. Paul Selsam, *The Pennsylvania Constitution of 1776* (Philadelphia, 1926), and Charles M. Andrews, *The Colonial Period of American History*, 4 vols. (New Haven, 1934–38), Vol. 3, p. 320.

[77] *Writings*, Vol. 10, pp. 54–60.

[78] "A Serious Address to the People of Pennsylvania on the Present Situation of their Affairs" (Dec., 1778), in *The Complete Writings of Thomas Paine*, ed. Philip S. Foner, 2 vols. (New York, 1945), Vol. 2, p. 284.

The reasons for Franklin's almost radical attitude in 1776 and 1787 appear in his own writings. One thing seems certain: belief in the goodness and the wisdom of the people is *not* at the root of his democratic faith. This idea is quite foreign to Franklin. Discussing the Albany Plan of Union in 1754, he thought that "it is very possible, that this general government might be as well and faithfully administered without the people, as with them."[80] Nor did he fundamentally change his view in the last years of his life. "Popular favour is very precarious, being sometimes *lost* as well as *gained* by good actions." In 1788, he wrote publicly that "popular Opposition to a public Measure is no Proof of its Impropriety."[81] What a strange democrat it was who told the Federal Convention that "there is a natural Inclination in Mankind to kingly Government."[82] The most plausible and popular reason for belief in democracy, then, is eliminated.

On the other hand, Franklin did not believe in the intrinsic goodness of the wealthy or the wisdom of the powerful; he had no liking for aristocratic government, be it by an aristocracy of wealth or an aristocracy of birth. He was scornful of the House of Lords and thought "Hereditary Professors of Mathematicks" preferable to hereditary legislators because they could do less mischief.[83]

It is noteworthy that in the whole of Franklin's work only one reference to Montesquieu can be found; and that concerns his ideas on criminal law. Separation of powers, the role of the aristocracy in a healthy society—these are doctrines which never took possession of Franklin's mind.

The antithesis between Adams, under the influence of Harrington, and Franklin, chiefly influenced by his own experience, is remarkably complete. Adams wrote:

> It must be remembered that the rich are *people* as well as the poor; that they have rights as well as others; they have as clear and as *sacred* a right to their large property as others have to theirs which is smaller; that oppression to them is as possible and wicked as to others. . . . [84]

Franklin mounts a formidable counterattack:

> And why should the upper House, chosen by a Minority, have equal Power with the lower chosen by a majority? Is it supposed that Wisdom is the necessary concomitant of Riches . . . and why is Property to be represented at all? . . . The Combinations of Civil Society

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[79] "Constitutional Reform" (1805), *ibid.*, pp. 998–99.

[80] *Writings*, Vol. 3, p. 231. See also p. 309.

[81] *Writings*, Vol. 9, pp. 564, 702. In 1788, Franklin repeatedly said that there was at present the "danger of too little obedience in the *governed*," although in general the opposite evil of "giving too much power to our *governors*" was more dreaded. *Writings*, Vol. 9, p. 638; and Vol. 10, p. 7.

[82] *Writings*, Vol. 9, p. 593.

[83] *Writings*, Vol. 6, pp. 370–71. For other attacks on the principle of hereditary honors and privileges, in connection with the Order of the Cincinnati, see *Writings*, Vol. 9, pp. 162, 336.

[84] Quoted by Zoltán Haraszti, *John Adams and the Prophets of Progress* (Cambridge, Mass., 1952), p. 36.

> are not like those of a Set of Merchants, who club their Property in different Proportions for Building and Freighting a Ship, and may therefore have some Right to Vote in the Disposition of the Voyage in a greater or less Degree according to their respective Contributions; but the important ends of Civil Society, and the personal Securities of Life and Liberty, these remain the same in every member of the Society; and the poorest continues to have an equal Claim to them with the most opulent. . . . [85]

It is this strong objection against the attempt to use—openly or covertly—a second chamber as a tool of class rule which seems to underlie Franklin's disapproval of the bicameral system. Franklin, it should be pointed out, was aware of the necessity and inevitability of poises and counter-poises. This is shown by his attempt, referred to above, to create a sort of balance of passions, checking avarice with ambition. There exist some, though quite rare, allusions to a balance of power concept in his utterances on imperial and international relations. The most pointed and direct reference to the idea of checks and balances, however, may be found in an unpublished letter to a well-known figure of Pennsylvania politics, Joseph Galloway, in 1767. Franklin discussed and welcomed a new Circuit Bill for the judges of Pennsylvania. He suggested and encouraged an increase in the salaries to be granted by the Assembly for the judges to offset the nominating and recalling powers of the Proprietor: "From you they should therefore receive a Salary equal in Influence upon their Minds, to be held during your Pleasure. For where the Beam *is moveable*, it is only by equal Weights in opposite scales that it can possibly be kept even."[86]

Consequently, the arguments of Thomas Paine or the French *philosophes*, which derive their validity from assumptions about the goodness or rationality of human nature, do not hold in the case of Franklin. In a brilliant recent essay it has been suggested that "despite the European flavor of a Jefferson or a Franklin, the Americans refused to join in the great Enlightenment enterprise of shattering the Christian concept of sin, replacing it with an unlimited humanism, and then emerging with an early enterprise as glittering as the heavenly one that had been destroyed."[87] As far as Franklin is concerned, however, the alternatives of Calvinist pessimism and the "unlimited humanism" of the European Enlightenment do not really clarify the essential quality of his political thought. His thought is rooted in a climate of opinion which combined the rejection of the doctrine of original sin with a rather modest view of human nature.

It seems, then, that the desire for equality, rather than any rationalistic concepts, offers the clue to an adequate understanding of those elements in Franklin's political thought which at first sight appear inconsistent with his not too cheerful view of human goodness. His striving for equality also suggests a solution to the thorny problem of reconciling his democratic views after he had decided for American independence with his faithful loyalty to the Crown before that date. The American interest obliged him to fight against Parliament—an aristocratic body in those days—while remaining loyal to the King; in recognizing the King's sovereignty while denying the Parliament's rights over the Colonies, Franklin by necessity was driven into a position which—historically speaking—seemed to contradict his Whig principles. The complaining Americans spoke, as Lord North rightly said, the "language of Toryism."[88] During the decade before 1775 Franklin fought for the equal rights of England and the Colonies under the Crown. But his desire for equality went deeper than that. In his "Some good Whig Principles," while conceding that the government of Great Britain ought to be lodged "in the hands of King, Lords of Parliament, and Representatives of *the whole body* of the freemen of this realm," he took care to affirm that "*every man* of the commonalty (excepting infants, insane persons, and criminals) is, of common right, and by the laws of God, *a freeman*" and that "the poor man has an *equal* right, but *more* need, to have representatives in the legislature than the rich one."[89] It has not been widely known that Franklin, in a conversation with Benjamin Vaughan, his friend and at the same time emissary of the British Prime Minister Lord Shelburne during the peace negotiations of 1782, has confirmed this view. Vaughan reported to Shelburne that "Dr. Franklin's opinions about *parliaments* are, that people should not be rejected as electors because they are at *present* ignorant"; Franklin thought that "a statesman should meliorate his people," and Vaughan supposed that Franklin "would put this, among other reasons for extending the privilege of election, that it *would* meliorate them." It was Franklin's opinion, Vaughan thought, "that the lower people are as we see them, because oppressed; & then their situation in point of manners, becomes the reason for oppressing them."[90] The fact is that Franklin's overriding concern for equality foreshadows the attacks of the socialism of later generations on the absolute sanctity of private property:

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[85] "Queries and Remarks . . . ," *Writings*, Vol. 10, pp. 58–61. For Franklin's disagreement with the bicameral system of the United States Constitution, see *Writings*, Vol. 9, pp. 645, 674. The paradox of Franklin's attitude is thrown into relief if one considers that even Jefferson, in his *Notes on Virginia*, raised his voice against the dangers of an "elective despotism," and exalted "those benefits" which a "proper complication of principles" would produce. *The Works of Thomas Jefferson*, ed. Paul Leicester Ford (New York and London, 1904–5), Vol. 4, p. 19.

[86] April 14, 1767, in the William L. Clements Library, Ann Arbor, Michigan.

[87] Louis Hartz, "American Political Thought and the American Revolution," this REVIEW, Vol. 46, pp. 321–42, at p. 324 (June, 1952).

> All the Property that is necessary to a Man, for the Conservation of the Individual and the Propagation of the Species, is his natural Right, which none can justly deprive him of: But all Property superfluous to such purposes is the Property of the Publick, who, by their Laws, have created it, and who may therefore by other Laws dispose of it, whenever the Welfare of the Publick shall demand such Disposition.[91]

Franklin's previously quoted speech in the Federal Convention provides us with an essential insight: he expressed belief in "a natural Inclination in Mankind to kingly Government." His reasons are revealing: "It sometimes relieves them from Aristocratic Domination. They had rather one Tyrant than 500. It gives more of the Appearance of Equality among Citizens; and that they like."[92] Equality, then, is not incompatible with monarchy.

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[88] Quoted by G. H. Guttridge, ***English Whiggism and the American Revolution*** (Berkeley, 1942), p. 62.

[89] ***Writings***, Vol. 10, p. 130.

[90] Benjamin Vaughan to Lord Shelburne, November 24, 1782. Benjamin Vaughan Papers in the American Philosophical Society, Philadelphia. Photostat in the Benjamin Vaughan Collection in the William L. Clements Library, Ann Arbor, Michigan.

[91] ***Writings***, Vol. 9, p. 138 (written in 1783). See also Vol. 10, p. 59.

From all this a significant conclusion may be drawn. It is an oversimplification to speak of Franklin's "conservatism" before 1775 and of his "radicalism" after 1775. Professor MacIver illustrates the conservative character of the first stage of American political thought preceding the appeal to natural rights by reference to Franklin, who, in spite of his later attacks on the Order of the Cincinnati, "nevertheless clung to the principle of a hereditary, though constitutional monarchy, until the tide of revolution rendered it untenable."[93] The term "conservative" does not do justice to the possibility of paying faithful allegiance to a monarchy and still disliking aristocracies of heredity or wealth. Because of his innate desire for equality, as well as his defense of the American cause against the encroachments of Parliament, Franklin found it much easier to be a monarchist. Monarchy, rather than aristocracy, was compatible with those elements of his thought which after 1775 made him a democrat.

Another of the factors which, while not incompatible with monarchical feelings, contributed greatly to Franklin's acceptance of democracy, is the belief which he shared with Hume that power, in the last analysis, is founded on opinion. "I wish some good Angel would forever whisper in the Ears of your great Men, that Dominion is founded in Opinion, and that if you would preserve your Authority among us, you must preserve the Opinion we us'd to have of your Justice."[94] He thought that "Government must depend for it's Efficiency either on Force or Opinion." Force, however, is not as efficient as Opinion: "Alexander and Caesar. . .received more faithful service, and performed greater actions, by means of the love their soldiers bore them, than they could possibly have done, if, instead of being beloved and respected, they had been hated and feared by those they commanded." Efficiency, then, became an argument for democracy. "Popular elections have their inconvenience in some cases; but in establishing new forms of government, we cannot always obtain what we may think the best; for the prejudices of those concerned, if they cannot be removed, must be in some degree complied with."[95]

It has rarely been noticed how detached Franklin, the greatest champion of democracy in the Federal Convention, was from the problem of the best government. His speech at the conclusion of the deliberations of the Constitutional Convention may give us a clue to the perplexing problem of why he gave comparatively little attention to the theoretical questions of political philosophy and devoted almost all his time to the solution of concrete issues. He stated his disagreement with several points of the Constitution, nevertheless urging general allegiance and loyalty to its principles. Asking his colleagues to doubt a little their feeling of infallibility, Franklin summed up the experience of his life: "I think a general Government necessary for us, and there is no *form* of government but what may be a blessing to the people, if well administered."[96] Perhaps in speaking these words he was thinking of one of the favorite writers of his younger days, Alexander Pope:

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[92] *Writings*, Vol. 9, p. 539.

[93] R. M. MacIver, "European Doctrines and the Constitution," in *The Constitution Reconsidered* (cited in note 25), p. 55.

[94] *Letters and Papers of Benjamin Franklin and Richard Jackson* (cited in note 72), p. 145 (written in 1764). See also *Writings*, Vol. 6, p. 129; Vol. 9, p. 608.

[95] *Benjamin Franklin's Letters to the Press* (cited in note 55), p. 193; *Writings*, Vol. 2, p. 56; Vol. 3, p. 228. See also Vol. 3, 231; Vol. 5, p. 79.

> For Forms of Government let fools contest;
> Whate'er is best administer'd is best.[97]

VII. THE DUALITY OF FRANKLIN'S POLITICAL THOUGHT

There are two outstanding and sometimes contradictory factors in Franklin's political thought. On the one hand, we find an acute comprehension of the power factor in human nature, and, consequently, in politics. On the other hand, Franklin always during his long life revolted in the name of equality against the imperfections of the existing order. He himself stated the basic antithesis of his political thought: Power versus Equality.

Fortunately, Franklin's notes on the problem at hand have been preserved; they are to be found in his marginal comments to Allen Ramsay's pamphlet, *Thoughts on the Origin and Nature of Government*, which presents the straight view of power politics. Franklin rebelled against the rationalization and justification of the power factor. "The natural weakness of man in a solitary State," Ramsay proclaimed, "prompts him to fly for protection to whoever is able to afford it, that is to some one more powerful, than himself; while the more powerful standing equally in need of his service, readily receives it in return for the protection he gives." Franklin's answer is unequivocal: "*May not Equals unite with Equals for common Purposes?*"[98]

In the last analysis, Franklin looked upon government as the trustee of the people. He had stated this Whig principle in his very first publication as a sixteen-year-old boy[99] and he never deviated from it. So in opposition to Ramsay's doctrine, according to which the governed have no right of control whatsoever, once they have agreed to submit themselves to the sovereign, Franklin declared the accountability of the rulers:

> If I appoint a Representative for the express purpose of doing a business for me that is for *my Service* and that of others, & to consider what I am to pay as my Proportion of the Expense necessary for accomplishing that Business, I am then tax'd by my own Consent.—A Number of Persons unite to form a Company for Trade, Expences are necessary, Directors are chosen to do the Business & proportion those Expences. They are paid a Reasonable Consideration for their Trouble. Here is nothing of weak & Strong. Protection on one hand, & Service on the other. The Directors are the Servants, not the Masters; their Duty is prescrib'd, the Powers they have is from the members & returns to them. The Directors are also accountable.[100]

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[96] *Writings*, Vol. 9, p. 607.

[97] Pope, "Essay on Man," Epistle 3, *Selected Works* (cited in note 17), p. 124.

[98] [Allen Ramsay], *Thoughts on the Origin and Nature of Government* (London, 1769), p. 10. Franklin's copy in the Jefferson Collection of the Library of Congress. (My italics.)

[99] "Dogood Papers," *Writings*, Vol. 2, p. 26. Cf. *Benjamin Franklin's Letters to the Press* (cited in note 55), p. 140.

[100] Marginal notes to Ramsay, *op. cit.*, pp. 33–34.

Franklin refused to recognize that power alone could create right. When Ramsay declared that according to nature's laws every man "in Society shall rank himself amongst the Ruling or the Ruled, . . . all Equality and Independence being by the Law of Nature strictly forbidden . . . , " Franklin rejoined indignantly, "I do not find this Strange Law among those of Nature. I doubt it is forged. . . . " He summarized Ramsay's doctrine as meaning that "He that is strongest may do what he pleases with those that are weaker," and commented angrily: "A most Equitable Law of Nature indeed."[101]

On the other hand, Franklin's grasp of the realities of power inevitably involved him in moral and logical ambiguities of political decision. At times he expressed the tragic conflict of ethics and politics. Characteristic of the peculiar contradiction within his political thought was this statement three years before the Declaration of Independence on England's prospects in the Anglo-American conflict: "*Power* does not infer *Right;* and, as the *Right* is nothing, and the *Power* (by our Increase) continually diminishing, the one will soon be as insignificant as the *other.*"[102] In this instance, obviously, he was trying to make the best of both worlds. But there were times when he was only too well aware of the conflict of these two worlds. In a passage which seems to have escaped the notice of most students of his political thought, Franklin observed that "*moral and political Rights sometimes differ, and sometimes are both subdu'd by Might.*"[103]

The measured terms of Franklin's political thinking present a striking contrast to the optimism and rationalism which we usually associate with the Age of Enlightenment. Franklin's insight into the passions of pride and power prevented him from applying the expectation of man's scientific and intellectual progress to the realm of moral matters. To be sure, he would not deny the influence of scientific insights upon politics, and he thought that a great deal of good would result from introducing the enlightened doctrines of free trade and physiocracy into international politics. But Franklin, unlike many of his friends in France, was never inclined to consider these and other ideas as panaceas. The mutual adjustment of interests would always remain the chief remedy of political evils. It was in this domain that reason, as a temper in the conduct of human affairs, made its greatest contribution to his political thought. Moderation and equity, so he had been taught by his experience (rather than by abstract reasoning) were true political wisdom. His belief that the rulers ought to be accountable, together with his more pragmatic conviction that force alone, in the long run, could not solve the great problems of politics, brought forth his declaration of faith that "Government is not establish'd merely by *Power;* there must be maintain'd a general Opinion of its *Wisdom* and *Justice* to make it firm and durable."[104]

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[101] *Ibid.*, pp. 12, 13.

[102] *Writings*, Vol. 6, p. 87.

[103] *Writings*, Vol. 8, p. 304. (My italics.)

[104] *Benjamin Franklin's Autobiographical Writings*, ed. Carl Van Doren (New York, 1945), pp. 184–85. Cf. *Writings*, Vol. 4, p. 269; Vol. 7, p. 390.

PURPOSES, PROCEDURES, AND OUTCOMES OF THE COOPERATIVE RESEARCH PROJECT ON CONVENTION DELEGATIONS*

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The official beginnings of the Cooperative Research Project on Convention Delegations date from the opening of the project office at the Association's headquarters in Washington on March 10, 1952. But the project had roots reaching far back into previous activities. Two committees of the Association had made suggestions for activities similar to those eventually put under way by the project: the Committee on Political Parties and the Committee for the Advancement of Teaching. In September, 1951, following the Association's meeting in San Francisco, the then chairmen of those committees, Bertram M. Gross and Claude E. Hawley, began actively seeking means of organizing field work and creating teaching materials on the forthcoming preconvention campaigns and national political conventions of 1952. For a time it appeared that a project along those lines might be organized under the auspices of the Brookings Institution; and the director of the present project became involved in the conversations. Later it became clear that if the project were to be organized at all, it would probably need to be under the Association's own auspices, although the cooperation of the Brookings Institution was an important factor in early planning.

By November, 1951 the Executive Director of the Association had cleared a draft proposal with the other officers and began negotiations with several foundations. One of those foundations, although uninterested itself, passed on the proposal to Dr. Will W. Alexander, an adviser of a newly established family foundation in New Orleans. He expressed interest and was given a formal submission under date of January 10, 1952. His principals approved the initial grant of $30,000 to the Association for the project on March 8, 1952.

Since then the project has developed with a logic of its own through several expansions, reorganizations, and refinancings. It is being completed in close association with the Brookings Institution, which is underwriting the final stages of central office staff work. A five-volume, 48-state report will be published by the Johns Hopkins Press under the title *Presidential Nominating Politics in*

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* This is an abbreviated version of a paper prepared at the request of the officers of the Association and was discussed by one of the panel groups at the forty-ninth annual meeting of the Association, Washington, D. C., September 10, 1953. The literature of research administration does not contain many published case histories of a kind that would be useful to those who find themselves involved in planning or approving new research ventures in the social sciences that are comparable in scale and complexity to the present one. The present story has been told in some detail and with extensive use of the underlying documentation in the hope that it may be useful in a wider context, as well as in future administrative and policy discussions of the Association. The writer has served as director of the project here described since its inception.

1952. Several hundred members of the Association and students have participated in various stages of the project. Approximately a hundred will receive recognition as principal contributors to the regional volumes of the report.

I. PURPOSES

From the first the project was envisioned as a multi-purpose affair. Purposes were spelled out in some detail in the prospectus. It was hoped that project results would make a contribution to: (1) party and public policy, (2) university, college, and secondary school instruction, and (3) research methodology.

Research Contributing to Policy. The reasons for studying the delegates and delegations are indicated in the following paragraphs which appeared in the proposal[1] in a more extended context:

> The unique character of the American political conventions is largely to be found in their unpredictability. In most other countries, the likely outcomes of a political convention are well known before it meets. Sometimes we think we know what an American convention will do; but there is always the possibility of surprise. The conventions next year have unusual possibilities. It is reasonable to assume that what a national convention will do is affected by the decisions that go into the choosing of state delegations, delegation leaders, and individual delegates. We know that the method of choosing delegates varies widely from state to state. The states using the primary have no standard system. Neither is there uniformity among the states using state conventions to select their national convention delegates, nor among the few that leave matters to their state committees. Even where the law is much the same, practice can be very different. The decisions affecting delegation behavior are correspondingly difficult to trace to their roots. They require careful local study.
>
> The national convention is the one place where some sort of uneasy combination must be brought together from the politics of the Presidency, of the Congress, of the 48 state governments, and of the many local political machines. To understand the combination we must understand the pieces of which it is made up. The pieces are not the delegations, but rather the political factions and power centers that lie back of them. Since those factions and centers come into action during the months in which delegates are being selected and committed, that period offers an excellent opportunity to learn substantially more about the political atlas of the United States.

The proposal then followed with two pages of questions on which it seemed desirable to have more information about delegates and delegations, discussed available research facilities, outlined a research plan, and indicated tentative plans for project reports. It was through the eventual reports that it was hoped the project would contribute to party and public policy. A part of the commentary on this prospect was as follows:

> Party leaders need facts and analysis. Very few of them are familiar with the political mechanics of all 48 states—unless they have already been through the education that comes from managerial responsibility for a presidential campaign. Citizens concerned with governmental improvement on a nationwide basis need facts and analysis even more. They do not have the working politician's ready access to other politicians for word-of-mouth information. They are more likely to be trapped by the easy assumption that what is true for one familiar area is also true for others. No one has ever written an accurate

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[1] "A Proposal to Study the Delegates and Delegations Attending the National Political Conventions in Chicago in July 1952," 8 pp. mimeo., undated, prepared December, 1951.

> layman's guide to the national politics of the 48 states. The present project will not produce a complete political atlas, but it would be a start in that direction. The research findings of the project will be made available as rapidly and as completely as possible. . . . After the conventions, the project staff would revise and assemble all of the project materials that warrant publication in some permanent form. . . . The final results of the project could be expected to include at least one readable report, as well as a body of research material for continued use by scholars. The report should bring the findings of the project to the attention of opinion leaders and party officials. The research materials, whether published in book form or otherwise, will find their way into further research and scholarly writing.

Development of Teaching Materials. The prospective contributions of the project to teaching materials were predicted with some confidence:

> The project as a whole would provide invaluable material for teaching purposes, a basic objective of the Association. In even the earliest working stages, the project plan would suggest analytical methods that could be applied to a currently interesting subject. These methods could be used in any class or seminar on political parties during the period of the pre-convention campaigns. The interviewing would provide a specialized form of research training for the political scientists and graduate students who participate. The completed state reports would go directly into the teaching materials for future years in the co-operating institutions. They could be made available to other educational institutions on both secondary and higher education levels in every part of the country. The national reports would be directly useful as teaching material as soon as published. The tabulations and analyses would soon be absorbed into the textbooks in the course of the revisions they perennially undergo.

Research Methodology. The project contemplated field work undertaken simultaneously in many scattered sections of the country, and was thus clearly beyond the normal competence of individual scholars and institutions. This was one of the major reasons for organizing the project under the auspices of the Association. In going ahead with the project, the officers of the Association were largely motivated by a desire to test the feasibility of such research; and this was recognized in the proposal:

> While the project should yield useful results of immediate interest, its experimental nature also must be emphasized. The project as a whole will be an experiment in a type of co-operative research that has not often been attempted. We believe it important to measure the effectiveness of group research undertaken in far-flung portions of the country by means of professional organization. We expect to accept some calculated risks in using research methods that may or may not work to our full satisfaction. The more successful the project is in its immediate outcomes, the more certain it is that four years from now it will be regarded merely as a working model for a better project in 1956. The progress of science depends upon research work that can be duplicated, repeated, and improved upon by using the results of one project in organizing the next one. It would be strange indeed if that principle were not applicable in the present case.

Political Parties as a Subject for Research. In presenting the proposal, the Association also put the matter in a broader framework. After referring to the work and outcomes of the Committee on Political Parties, the following statement was made:[2]

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[2] The American Political Science Association (APSA), letter from Dr. Edward H. Litchfield, Executive Director, to Dr. Will W. Alexander, January 10, 1952, 6 pp. mimeo.

> The Committee's work, however, even the controversies it has engendered, have served to demonstrate the need for more information. As a matter of fact, the whole field of political parties is one that we consider neglected so far as scholarly and scientific investigation is concerned. Foundations and individuals have given their support mainly for research into the formal institutions of the government. The structure of Congress, the civil service, the budget system, the organization of the executive branch of the federal government, many aspects of state and local government have all been the subject of highly organized and often of liberally financed inquiries. By comparison, little financial assistance has been provided from any source for a massing of the facts and a careful analysis of the political processes upon which American democracy depends.
>
> We recognize that many citizens are dissatisfied, pessimistic, and cynical about the political parties. But we see no reason to believe that the parties are either immune to change or incapable of improvement. If this were in fact the case, it would be hard to believe that reform could be successful for other aspects of government, since the parties are so basic. Actually, the parties have changed considerably in recent decades, and we believe that the processes of change can be accelerated. Change would be facilitated by a more general recognition that the parties are the instruments through which the people can seek to obtain the kind of government they want. Subject to a final screening by the electorate, it is the parties that produce the personnel to whom the Constitution gives authority in the making and the execution of the laws.

The Executive Director then commented on the current timeliness and strategic possibilities of the proposed project, on the facilities of the Association for carrying it on, on the alleged qualifications of the project director to be supplied by the Brookings Institution, and on the details of project financing. He concluded by saying:

> Cooperation will doubtless be variable from state to state; but for most states, we are certain that the profession will rally to the active support of this kind of a project. There is good reason for believing this: each cooperating institution would be provided with help and a plan for a specific piece of research of direct local significance. From the point of view of the institutions, the national value of the project as a whole would be merely an extra bonus and a means of giving added prestige to the local effort. The project would have useful local results independently of its success for the country as a whole; that is why we can be so certain of the cooperation on which the project will depend.

Purposes of the Donors. The donors were under no compulsion to make any statement of their own purposes in making the grant. From informal conversation, however, it may be deduced that they had purposes even broader in some respects than those contemplated by the Association. As persons with long-term civic interests, they had come to feel a deep concern over the future of government in America. The thought had occurred to them that possibly some improvement in the attributes and status of political science as a profession would eventually be helpful in the improvement of government. The proposed project seemed potentially to offer the promise of useful experiences for those members of the profession who participated. Even if the eventual published reports and other substantive outcomes were disappointing, it could still be hoped that the project would increase the number of political scientists who would go out into the world of reality to observe, experience directly, and report on the political turmoil of 1952. Accordingly, after securing excellent advice and after undoubtedly being told with some authority that the project might quite likely be a failure, the donors went ahead and made their grant.

II. PROCEDURES

No complicated or particularly novel methodologies in the narrower sense of the term have been used in the Cooperative Research Project at any time. Yet the project may come to be regarded as a milestone in developing the methodology of the profession. It has pioneered in developing techniques for two kinds of accomplishment, both of which seemed in advance to include many elements of the impossible: (1) the mobilizing of a far-flung army for research on what was essentially a voluntary basis, and (2) the effective use of the results of voluntary research in developing an integrated national report. The voluntary aspect of participation in the Cooperative Research Project has been its most unique characteristic. It has had consequences at every stage and was largely responsible for the elements of unpredictability that have led to many unanticipated changes in administrative plans. This aspect of the project did not come about wholly by accident, but the extent to which it was to dominate the project was certainly not expected at the beginning.

Original Working Plan. The working plan of March, 1952 was scaled down considerably from earlier notions. It was already too late to do many things that might have been attempted in November, 1951, or even January, 1952, before the begining of the second semester of the academic year. In particular, a plan for state project directors each of whom would take a consolidated assignment for both political parties in his state was abandoned in favor of the individual state delegation as the unit of assignment. The plan was mainly built around a budget allotment for fifteen case studies of as many delegations. Delegations were selected tentatively in terms of primaries vs. state conventions as the means of delegate selection, importance of the state, regional distribution, and prospective academic availabilities. By the end of March, case studies had been set in motion for the Republican delegations of Connecticut, New York, Pennsylvania, Louisiana, Wisconsin, Nebraska, Washington, and Oregon, and for the Democratic delegations of New York, Georgia, Texas, Ohio, Michigan, Illinois, and California. Each case study director had made a definite commitment to get in a report by June, had been assured of $150 to $250 for travel in the state and other incidentals, and had been promised an honorarium of like amount upon submission of his report. Suggestions on procedure had been circulated.[3]

An incidental feature of the original plan represented an effort to secure some information on a broader geographic basis in addition to the case studies. Under date of March 12, 1952, the Executive Director sent out a circular letter extending a general invitation to participate in the project. This letter was sent initially to the heads of political science departments in each of two institutions in every state where no case study was contemplated. When recipients regretted, the letter was then sent to another institution. An outline was developed for the hoped-for contents of the case study reports.[4] This was also sent to project participants at the volunteering institutions; they were told that a "short report" conforming so far as feasible to the outline would be appreciated. A small honorarium ($20) was offered for each "short report."

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[3] Cooperative Research Project on Convention Delegations (CRPCD), "Notes on Procedure in Carrying on Case Studies," March 31, 1952, 8 pp. mimeo.

[4] CRPCD, "Tentative Outline for a Case Study Report," April 4, 1952, 5 pp. mimeo.

At that point, the eventual project report was visualized as a book containing about a dozen chapters developed from the best of the pre-convention case study reports, with additional chapters of summary and analysis based so far as possible on all materials received. It had been explicitly agreed with the case study directors that the national project staff would have full freedom to use the materials in any way that seemed most conducive to the production of a suitable national report. Local reproduction or publishing was also contemplated as a possibility for much of the material.

Work at the Conventions. The original plan did not contemplate organized work at the national conventions. But a number of the case study directors made it clear that they intended to follow through with the study of their delegations in the actual convention setting. Other possibilities began to emerge, in view of the tremendous surge of popular and professional interest in the conventions as the time approached. The national staff (project director, assistant, and secretary) moved to Chicago for the entire month of July, bringing along the project files. The University of Chicago provided ample working space at its downtown center, and made housing available for project participants. Both National Committees cooperated by providing periodical press gallery privileges at the conventions for the AMERICAN POLITICAL SCIENCE REVIEW. Project participants in the field were assured of a working base, housing, and at least limited facilities if they decided to come to Chicago at their own expense. Volunteers were recruited at the University of Chicago, Northwestern University, Roosevelt College, and through the Chicago League of Women Voters. The main objective was to secure further reports on the delegations previously studied in the field. This objective was accomplished for around 25 delegations at the Republican convention and, on a more organized and intensive basis, for about 15 at the Democratic. Modest honoraria were promised for reports, some of which did not arrive until months later.

Results of Open-End Volunteering. In budgeting for the "short reports," it was estimated that possibly as many as 25 would be received. Even after they had been promised in considerably larger numbers, there was doubt as to whether and when they would arrive. Eventually, almost all of those promised were received, but eight pre-convention reports on Republican delegations were received after that convention had opened, and some after it had adjourned. By mid-August, the project was in possession of 68 pre-convention field reports: reports for both delegations from 23 states, Hawaii, and the District of Columbia; reports on Republican delegations only from 10 states; reports on Democratic delegations only from 8 states. Chicago material of some sort was in hand for about 40 delegations. The manuscript materials exceeded 750,000 words; in addition, there were approximately three file drawers of exhibits, documents, and untabulated statistical materials.

The total was an immense body of chaotic but potentially valuable research material. The pre-convention delegation reports were the best organized part of the mass, but they varied enormously in quality, depth, and coverage. In length they ranged from 6 to 160 pages. Some were carefully documented; others were obviously impressionistic. Many were written by political scientists who had acted as participant-observers, including several actual members of delegations at both national conventions. Others were no more than hasty rewrites from local newspaper sources. The relatively high quality of many of the "short reports" was the great surprise. At least half of them compared favorably with most of the case study reports. All of the case studies produced reports and several of them were excellent pieces of work, but they did not provide the major end-product of field reporting as had been planned and anticipated. Accordingly, in a general review of the situation at the Association's annual meeting at Buffalo, August, 1952, it was agreed that the distinction between case study reports and short reports was meaningless in further planning, and that no special preference could be given to the case study reports as such in developing a publishing plan.

Time Problems of Project Refinancing. The original grant had been negotiated under circumstances that left room for hope of a second grant if the project went well. The project director recommended efforts to secure a second grant in August, as soon as it was possible to take stock of the situation after the adjournment of the national conventions.[5] The Association put forward a request for a grant of $24,830 in mid-October and was informed of favorable action around the middle of November. The action at all stages was about as prompt and certainly as favorable as could be expected; many similar negotiations have taken far longer. But for about three months, the project staff was placed in an extremely uncomfortable situation. If there had been a positive and irrevocable decision in early August that no further financing would be forthcoming, a substantial report could nevertheless have been produced by devoting all energies to that objective. It would have involved drastic measures: the ruthless discarding of materials that were valuable but unfinished, a rapid and somewhat arbitrary selection of the most publishable parts of the material, and the construction of a matrix in which they could be organized in symposium fashion. But as long as further financing was a possibility, the project staff was inevitably required to spend much of its time in developing plans and doing the work required to write proposals and compile justifications for a second grant. One of the most harassing aspects of the situation was the administrative necessity for producing immediately some clear and positive statement on how to handle a body of material that was intractable in the highest degree. Time and money were both needed to develop any fully adequate plan for using the material; there was a point at which there was no assurance that either would be forthcoming.

Developing the Model for a State Chapter. During September, 1952 a number of political scientists in the Washington area and elsewhere acted as readers.

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[5] CRPCD, "Report of Progress and Proposed Future Plans," submitted to the Executive Director of the Association by the director of the project, August 19, 1952, 8 pp. mimeo. Attached to Executive Director's annual report as an exhibit.

Each of them reviewed eight or ten of the field reports. All expressed concern over the uneveness of the material and the difficulties inherent in making any comprehensive analysis based on it. The problems of noncomparability arose not only from the variation in observation and reporting, but also from the wide range of experience that had been placed on record. We did not realize it at the time, but actually the difficulty is inherent in trying to draw generalizations from any body of case material. A sympathetic attempt to understand any piece of human experience that is unified in its time, place, and cast of characters can do much to add to insight. Such insight can be very destructive of existing generalizations that have been too easily accepted. But to go on into the construction of new generalizations from case materials is something else again.

By the end of September, we had concluded that before anything else could be done, it would probably be necessary to do three things for a number of the states for which we had relatively ample material: (1) to provide a background for our more specialized material by organizing a limited amount of basic information about the state and its politics, including key facts as to recent election statistics and the like; (2) to prepare a summary of the information that had been reported about the state's Republican and Democratic delegations of 1952, following a standardized pattern so far as possible; and (3) to write a brief review and appraisal of the state's experience in 1952, to facilitate discussion and further study of that particular kind of experience. The project director was the first to try his hand at such an attempt. What was intended originally as a 2,500 word summary of the field reports for a single state, to be prepared hopefully in a week, turned into the labor of a month, with extensive further digging for facts. The draft ran to about 9,000 words, of which approximately two-thirds was condensed and rearranged from the original field reports. Three staff members, recruited on a temporary basis to assist in the summarizing, went through similar experiences on their first state assignments. Extensive staff discussions were held on project objectives, the kind of national report that would be most useful, and the most feasible methods for organizing the existing materials in the direction of such a report. The results were disappointing on the first round of assignments, better on the second. By the third, the work was beginning to shake down into a pattern.

By the end of January, 1953, the technique was stabilized in the "Notes on the Drafting of State Summaries."[6] Thereafter the general pattern was followed for states that offered no unusual complication. Every state with a presidential primary law has proved to be a special problem, and so have the states that produced the major delegation contests at Chicago. The home states of the candidates for the presidential nomination have also proved to be still another significant special category.

Field Collaboration on Chapter Drafting. Every chapter draft prepared in

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[6] 14 pp. mimeo., issued originally as part of the front matter of "Part 1" of a preliminary and confidential draft of the project report, containing five state chapters, January 30, 1953.

Washington from field reports was prepared initially as a rough draft, with questions interspersed in the text. Frequently we stated the facts as we understood them, then asked: Is this correct? Gaps in data were pointed out with a request for further information. The usual practice was to send two copies of the manuscript in this form to each project reporter in the state with a request for help. Usually we received back a marked-up copy of the draft from each within a month. In some cases the collaboration was somewhat casual, but we were repeatedly surprised at the care and trouble taken by our colleagues in completing and verifying information at this stage. Apparently the questions we were able to raise were often a stimulating challenge. The chapter manuscripts were then mimeographed or hectographed and a supply sent to the field reporters. They usually then secured a reading of the manuscript by qualified critics in the state, mainly political reporters on newspapers and leading politicians in each party. With these comments in hand they sent in a revised or annotated draft for use in the final revision for publication.

Concurrently with this process for the states for which relatively ample field reports were available, a second round of field work was started in November, 1952 to fill out the reports for the other states. No attempt was made at that time to secure universal coverage, but where we had a report on one delegation from a state and none on the other, we solicited a report on the second delegation. And where states of more than average importance were entirely unreported, we made efforts to fill those gaps. As soon as the model for a state chapter was available and sample chapters could be distributed, we urged the use of the model by the project reporters who were still engaged in field work. By March of 1953 we were beginning to receive occasional state chapters that were in substantial conformity with the format. Usually they were more complete in their systematic coverage of the basic data than the original field reports, although with the passage of time some kinds of information were becoming difficult to obtain.

Where chapters were drafted initially in the field as such, we attempted to apply the same standards that we had been developing in the previous pattern of collaboration. Usually this meant some correspondence on points of fact, a condensation of the draft as submitted, and special attention to the sections of review and appraisal. In all of those sections we have attempted to bring in a perspective based on the total body of project experience. In a few instances the job of chapter drafting went back to the field even where relatively complete reports were already on file in the national office. These arrangements were in part a product of desperation, as the Washington staff found itself swamped with more work than it could turn out. We are especially indebted to our colleagues who agreed to labor further in those situations.

Publishing Problem and Solution. Publishing negotiations were begun in February, 1953, as soon as the first group of sample chapters became available. We anticipated the completion of approximately 30 state chapters in publishable form and were doing what we could to insure the inclusion of all the larger and more interesting states in the list. The state chapters most needed were in many respects the most difficult to bring to maturity. Considered as individual research assignments, the range of difficulty between the most difficult and least difficult state chapters would probably be at least ten to one. In April, the Hopkins Press offered a commercial contract for the prospective book. No subsidy was requested, but the indicated selling price for a large one-volume report would have restricted distribution severely.

In May we faced the issue as to whether there was any feasible way of finishing the job for all 48 states, thereby making it possible to publish in the form of regional volumes. Several interlocking questions were involved: Was it still possible to organize the necessary field work, a year after the national conventions, for the missing states? Could we go back to the original donors for a third grant? Would the 48-state basis improve the publishing prospects sufficiently to make it possible to publish a multi-volume report without a subsidy? The Hopkins Press favored the 48-state, regional-volume pattern and did its best to identify potential markets that would justify publication without a subsidy. In the end, a small subsidy proved necessary, but the Association will eventually receive substantial royalties if the report goes well. The question of a third grant was explored and it was decided that it would be unwise to make the request. Project balances were adequate to pay the publishing subsidy and to provide moderate honoraria for further field work. The Brookings Institution agreed to provide central staff and office facilities after July 1, 1953; it was estimated that the total Brookings financial contribution to the project will be in excess of $15,000.

The publishing contract was signed in early June on the assumption that the necessary field work could still be organized in all of the more important remaining states. Negotiations were successful and several of the resulting chapters are excellent. Chapter drafting was also undertaken in Washington for several smaller states where further field collaboration proved difficult to arrange. This work was largely completed during July, August, and September.

The Volume I Problem. From the first, project plans anticipated an eventual effort to summarize the entire body of data in various types of comprehensive analysis. Pressures to move immediately in that direction were strong in August and September, 1952, but the chaotic condition of the data at that time seemed to make it impossible. The model for a state chapter was developed in the hope that by standardizing the treatment of what were essentially case materials, nation-wide summaries would eventually become possible. By mid-spring of 1953, the kind of analysis represented by the review and appraisal sections of the individual state chapters was assuming increasing importance. This was a flexible type of approach, geared to the idiosyncrasies of the individual states and their widely differing political patterns. It also assimilated easily a comparative consideration of the experience in two or more states that had special similarities as well as differences.

Publishing discussions, however, inevitably brought to the fore the question as to what general, introductory, and concluding materials were essential in providing a frame for the state chapters. The Volume I now planned is the result. It will contain three lengthy historical chapters and several other chapters analyzing and discussing the problems with which the report as a whole is concerned. The three historical chapters will include one on the pre-convention campaigns and one on each of the national conventions of 1952.

The Advisory Committee and Its Role. The Association's Committee on Political Parties was originally contemplated as the project advisory body. Unfortunately, that committee was without a chairman during a critical interval and it was too large and scattered a body for the easy financing of meetings from a restricted budget. Several members of the committee were absorbed into the project as active participants, including all three members of the subcommittee on the national conventions. In November, 1952, the Association's officers decided to constitute a new Advisory Committee for the project, composed entirely of persons not previously involved in project operations. The following were appointed: Arthur N. Holcombe, Chairman, Louis Brownlow, Richard S. Childs, Alexander Heard, Peter H. Odegard, Louise Overacker, and James K. Pollock. As members of the Association will recognize, this committee includes three past presidents of the Association, two laymen who have made distinguished contributions to the field, the author of the principal book on presidential primaries, and the author of a recent book on Southern politics.

The committee was given two functions by the officers of the Association: (1) to advise the project staff and the Executive Director of the Association on the continuation and completion of the work, and (2) to advise the officers of the Association as to the merits of the project report and its readiness for publication under the sponsorship of the Association. The committee met on December 2, 1952 and reviewed current plans. It discussed the first complete draft of a state chapter and gave general approval to the pattern and scope of the draft as a model for further work. It met again on April 3, 1953, after having received about a dozen of the state chapters in semi-finished form. It approved the chapters for publication, subject to the further efforts to perfect them that were contemplated, and agreed that further state chapters could be cleared with it for publication by correspondence. By November, 1953, the committee had passed most of the state chapters for publication and they had gone to press. A final meeting on the manuscript for Volume I was planned for December 12, 1953.

III. OUTCOMES

Only a preliminary assessment of project outcomes is possible at this time, and the project director may not be the best person to make it. But the major types of existing and potential outcome can be outlined. Perhaps we might look first at the existing intangibles, second at the tangibles, and third at the intangibles of the future.

The Existing Intangibles. A first attempt to assess the intangibles that had already accrued was made in October, 1952 in the statement requesting a second grant.[7] There the Executive Director of the Association made the following statement:

> In many respects the most important by-product of the project has been the evidence it has provided as to the ability of the Association to conduct large-scale research undertakings. For some time many of use have believed that there was a type of research in our field which could not readily be undertaken either by the individual scholar or by any single institution. This project well illustrates the point. In its prosecution, more than 320 individuals in 41 states, Hawaii and the District of Columbia, have been involved. They conducted 1450 interviews prior to the time of the national conventions and countless interviews during the conventions themselves. They participated in over 300 precinct, county, district and state meetings. We estimate they have already invested over 15,000 hours in the preparation of the field reports, or more than 7½ man years. For projects which are concentrated in time, geographically dispersed, and requiring a breadth and diversity of professional skills and judgment, we feel that Association-organized projects can prove themselves of distinct value, as the present project indicates.
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> Another by-product has been the identification of a number of able younger scholars who had not previously achieved general professional recognition. In years past we have been a relatively loose and amorphous profession. This has been our best opportunity to discover talent in our own ranks by offering a chance to participate in a worthwhile project that was going on all over the country. Closely related is another significant result of the project. As a result of the working needs of the research, a series of informal relationships have developed among the several hundred persons who have been participating in the undertaking. This network of personal but professional relationships gives promise for continued communication through the years without reference to formal undertakings that may later emanate from this office. In our judgment, the project would have more than justified itself if only as a vehicle for bringing together professional men and women who are scattered in every part of the country, but many of whose professional interests are in common.
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> The second and most direct type of consequence of the project, of course, has been the substance of the research itself . . . the project has provided a wide variety of formal or informal teaching materials which will greatly improve the quality of instruction in the field of political processes in our colleges and universities. Some of these materials are in the hands of the individual investigators and instructors who first developed them and will be used primarily in improving their own teaching. Other materials have been and will continue to be circulated in typescript or mimeographed form among many of the participants. Beyond this, many of the graduate students who participated in the research learned a great deal from the conduct of the work itself. As a consequence, there is already a large volume of material in circulation in the teaching process in this country which would not have been available had it not been for the work already undertaken. In addition to their value for teaching purposes, the existing state reports are potentially of major importance for use by the civic leaders and legislators who are concerned with the enactment or amendment of state laws on presidential primaries. Many of the authors are currently revising their reports and plan to mimeograph them for local circulation and discussion next winter.

Probably all would agree that the project has made a contribution to the development of the profession and to the personal development of project participants. The extent of that contribution obviously cannot be measured precisely and there will undoubtedly be difference of opinion as to its importance.

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[7] APSA, letter from Dr. Edward H. Litchfield, Executive Director, to Dr. Will W. Alexander, October 17, 1952, 9 pp. mimeo.

The Tangibles. The tangible outcomes of the project include the forthcoming national report in five volumes; a local monograph already in press in Texas and another nearing final form in Louisiana; various local publications elsewhere that have drawn on project materials in one way or another; the mimeographed materials that have circulated internally within the project, including the full text of several of the longer field reports; the collection of research materials represented by the project files in Washington; and the research files in the project centers throughout the country. The report will have to await the judgment of the profession and the public, although many favorable comments have been received on the portions that are in draft from persons asked to review them. Staff members of both national political committees have indicated that the report would become an essential working tool for persons engaged nationally in political organizing activities. Persons who have seen service on the headquarters staffs of candidates for the presidential nomination have made similar comments.

Intangibles of the Future. On the question as to whether or how the project will contribute in the future to the development of the profession, obviously not much can be said without engaging in the sheerest speculation. But it would seem that a project that has been driven through to completion in the form of a published national report will have done whatever it can in that respect. Perhaps the most specific aspect of progress in the profession that can be surmised is the development of a broadly shared research interest in the presidential nominating process, an interest developed through active participation by project personnel from coast to coast. When many minds are at work upon a subject at the same time and learn how to manipulate research techniques that have direct significance for the subject, something important seems likely to happen. The presidential nominating process seems especially useful as a catalyzing research interest because at times it brings almost every other political process within its orbit.

The teaching materials originating in the project will provide useful material of considerable student interest for many different purposes. Among other things, the project may perhaps be considered the first large-scale effort to provide materials for the case method in teaching politics. The project also is almost unique as an attempt to provide a family of related or parallel case materials that can be used comparatively in teaching. The life histories of 104 delegations, bound together in time and function, but differing in almost every other conceivable respect, should provide endless opportunities for exploratory comparisons.

Least predictable of all outcomes is the potential future contribution to the development of public policy. Since the principal feature of the Association's report will be the state chapters, the question mainly is one as to the contribution they can make. On this, the following statement was made some months ago:[8]

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[8] APSA, "Progress Report on Cooperative Research Project," Memorandum from Dr. Edward H. Litchfield to Dr. Will W. Alexander, March 18, 1953, 10 pp. mimeo.

> It is clear that we shall reach the end of the present project with less accomplished by way of national analysis of the data and of the problem than we had earlier hoped. On the other hand, we believe that as the material shapes up, it is becoming increasingly evident that the individual state chapters will be more valuable than we had previously thought possible. We are ending each state chapter with a section of interpretive review and appraisal that takes advantage of the knowledge gained by working concurrently and comparatively with a large group of states. These commentaries were originally viewed with misgivings by some of our advisers, who feared that they would be immature, inadequately based, and easily open to attack. With experience, it has proved possible, on the contrary, to produce comment that is pertinent, constructive, and broadly based, even though it does not attempt to settle all questions for all states.
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> The question remains open as to where public policy will be made in this field in the future. If it continues to be made on a state-by-state basis by state legislatures and party committees, our state chapters may well prove highly influential during the next few years, and particularly while legislative reforms are under consideration in the winter and spring of 1955, when most state legislatures will be in session and will be thinking about 1956. We see no early prospect that a constitutional amendment will be passed, bringing the whole field under federal regulation. Federal legislation may be possible that would have influence even if it has no controlling effect, but is unlikely to pass before 1955 at the earliest. Congressmen concerned with federal legislation may find the state chapters on their own states more interesting than any national analysis, even though such an analysis does of course continue to be needed.

Public policy is made not only by the acts of legislative bodies, but also by the accretion of custom and precedent. If the report comes to be used by civic leaders and others directly involved in politics, it may have a significant influence on the evolution of attitudes and customary behavior. Much of the present chaos in the formal and specific aspects of the presidential nominating process, particularly in the months before the national conventions meet, arises in part at least because so few of the participants are widely familiar with customary practice in states and in the political party other than their own. The existence of an organized body of information on the subject may facilitate some reduction in the extremes of variation and the general introduction of more orderly procedures, thus making the whole process much more comprehensible even if its nature is not greatly changed.[9]

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[9] The project Advisory Committee met on December 12, 1953, completed its review of the manuscript of the report, approved it as meeting appropriate standards of scholarship, and recommended that the report be published by The American Political Science Association. As of December 16, approximately 85 per cent of the five-volume manuscript is in press and over half of it is in galley proof. Publication in April or early May by the Johns Hopkins Press is anticipated.

A NOTE ON TREATY RATIFICATION

CARL MARCY

Arlington, Va.

On June 13, 1952, with two senators on the floor, the Senate of the United States gave its advice and consent to the ratification of three treaties which thereby became a part of the supreme law of the land.[1] One of the senators did not vote. The other voiced his "aye" while serving as presiding officer.

The conventions approved by the voice vote of one senator were the Consular Convention with Ireland;[2] a Protocol Supplementary to the said Convention;[3] and the Consular Convention with the United Kingdom.[4]

Article II, Section 2 of the United States Constitution provides that the President shall have power "to make Treaties, provided two-thirds of the Senators present concur. . . . " Even though, under Article I, Section 5, Clause 2, "Each House may determine the Rules of its Proceedings, . . . " how, as a matter of law, was it possible for the Senate, with but two senators on the floor, one of whom did not vote and the other of whom was in the chair, to give its advice and consent to a treaty? And as a matter of policy was the Senate in this case properly discharging its responsibilities?

There has been frequent criticism of the Senate in recent months for alleged failures properly to discharge its treaty functions. Whether this criticism is justified depends upon a careful examination of the facts of each case. In this instance, the three conventions were received by the Senate between 1949 and 1952.[5] A three-man subcommittee of the Foreign Relations Committee held public hearings on the pending conventions on May 9, 1952. On May 21, the full Foreign Relations Committee favorably reported the conventions to the Senate where they remained on the Executive Calendar until June 13, 1952 when they were approved.

On June 12, Senator Sparkman, who on that day was acting as presiding officer of the Senate and who had acted as chairman of the Foreign Relations subcommittee considering the conventions, announced as follows: "In his capacity as a Senator, the present occupant of the chair gives notice that in accordance with the understanding between the majority leader and the minority leader, it will be his purpose tomorrow to call up two consular conventions and a protocol which are Nos. 11, 12, and 13 on the Executive Calendar."[6]

June 13 was a Friday. Toward mid-afternoon the majority leader, Senator Johnson of Texas, announced that when the Senate concluded its business for the day it would recess until Monday. Senator Morse then obtained the floor and began a speech on the Hells Canyon Dam. At about 6 p.m. he finished his speech, picked up his papers, and departed. During his speech senators had drifted in and out of the chamber and, on receiving assurances that no business was pending save the non-controversial treaties, had departed. When Senator Morse left, the only senator remaining on the floor was Senator Thye, who made a few remarks on the St. Lawrence Seaway. Senator Sparkman had been serving as presiding officer during the Morse speech and waiting for an opportunity to call up the conventions in accordance with his announcement of the day before.

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[1] See *Cong. Rec.*, June 13, 1952, pp. 7343–54.

[2] Executive P, 81st Cong., 2d sess.

[3] Executive F, 82d Cong., 2d sess.

[4] Executive O, 82d Cong., 1st sess.

[5] See *Legislative History of the Committee on Foreign Relations*, S. Doc. 161, 82d Cong., 2d sess., pp. 49–50, for summary.

[6] *Cong. Rec.*, June 12, 1952, p. 7254.

When Senator Thye completed his statement, the presiding officer, Mr. Sparkman, said that without objection the Senate would proceed to the consideration of executive business. The treaties were then called up one by one, the resolutions of ratification read, and the question put by the presiding officer as follows: "The question is on agreeing to the resolution of ratification. (Putting the question.) In the opinion of the Chair, two-thirds of the Senators present concurring therein, the resolution of ratification is agreed to, and the convention is ratified."[7] There was no quorum call immediately preceding the voice vote, although the presence of a quorum had been ascertained by a quorum call earlier in the day. While the *Congressional Record* does not, therefore, show which senators were present and who voted, observers in the Senate Chamber noted that Senator Thye did not vote either for or against the conventions. The only senator casting a voice vote was the presiding officer, Mr. Sparkman, who voted in the affirmative, and then, on advice of the Senate Parliamentarian, expressed the opinion that "two-thirds of the Senators present" had concurred in the resolution of ratification.

Since Senator Thye did not vote it seems obvious that two-thirds of the senators *present* did not vote in favor of the resolution of ratification. The fact that Senator Thye did not vote *against* the resolution, however, might be construed as indicating that he "concurred" in the resolution. Senator Thye, when asked about the proceedings, told newspaper reporters: "I did not object."[8] His silence must be construed as consent if the constitutional requirements that "two-thirds of the Senators present concur" was met. If one construes the constitutional requirement to mean that two-thirds of the senators present *and voting* must concur in resolutions consenting to the ratification of a convention, then the interesting question is raised as to whether one senator present *and voting* constituted a two-thirds vote of the Senate.

The view that the treaties under discussion now have the effect of "supreme law" must rest on the presumption that a quorum of the Senate is present unless the question is raised "by any Senator as to the presence of a quorum. . . . "[9] In the case under discussion, since the question of the absence of a quorum was not raised preceding the vote, it is to be presumed that a quorum was present, and that the Senate acted properly. It is unlikely that a court will go behind the record which presents a prima facie case of proper action.[10]

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[7] See *Cong. Rec.*, June 13, 1952, p. 7348.

[8] Washington *Evening Star*, June 14, 1952, p. 1. For an interesting discussion of the reason for the requirement of a two-thirds vote of senators present, see *The Federalist*, No.75.

[9] *Standing Rules of the Senate*, Rule V.

Whether the Senate was properly discharging its responsibility in approving the pending conventions with but two senators on the floor would seem to depend upon whether adequate opportunity was given for anyone who might have objected to any provision of the conventions to make his objection known. In this connection the following facts are relevant: (1) The conventions had been published and pending, substantially in the form finally acted upon, for nearly two years. Moreover, because of objections received by the Committee on Foreign Relations when the conventions were first submitted, the convention with the United Kingdom had been renegotiated and the convention with Ireland had been amended by a protocol.[11] (2) A subcommittee had been appointed to consider the conventions. (3) After due notice public hearings had been held, at which no one objected to the terms of the conventions.[12] (4) The favorable report of the subcommittee on the conventions was considered and approved by the full Committee on Foreign Relations. (5) The conventions, accompanied by the committee report, were on the Senate Calendar from May 21 to June 13, and during that period no one brought any objections to the attention of the committee or Senate leaders. Furthermore, during that period when items are on the Calendar, it is normal for the Minority Policy Committee of the Senate to examine pending matters to see if there are provisions to which the minority party may wish to take exception. (6) Twenty-four hours in advance of consideration by the Senate, notice had been given that the conventions were to be taken up and the majority and minority leaders of the Senate had agreed to their consideration.

Under these circumstances, it seems fair to conclude that there was sufficient public notice and opportunity for objections to be made known.

It is doubtful that this type of situation will soon arise again. On July 18, 1953, Senator Lehman introduced a resolution (S. Res. 145) to amend the *Standing Rules of the Senate* to require that "No vote upon the final question to advise and consent to the ratification shall be had unless, immediately prior to such vote, it has been ascertained by a rollcall . . . that a quorum of the Senate is present. The final question to advise and consent to the ratification shall be determined by a yea-and-nay vote. . . . "[13] Senator Lehman discussed this proposed change in the Senate rules at some length, referring briefly to the case discussed here, to the fact that during 1952 the Senate acted upon 5 out of 25 treaties by a roll-call vote (the others being approved by a voice vote), to the approval of the Greek-Turkish protocol to the North Atlantic Treaty with six senators on the floor (because of objection by Senator Gillette and others the protocol was subsequently recalled by the Senate and approved by a roll-call vote), and to Senate approval of a proposed constitutional amendment during a call of the Calendar and without a roll-call vote. On July 20, Senator Knowland, the acting majority leader, announced that the proposal had been discussed with the Majority Policy Committee and said: "As a matter of standing operating procedure in the future, we intend, in connection with all treaties, and on constitutional amendments as well, not only to ask for a quorum call, but to ask for a yea-and-nay vote, at least on the first of a series of treaties. . . . We shall endeavor to follow that policy as a standard operating procedure from now on."[14]

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[10] But see *Christoffel* v. *United States*, 338 U. S. 84, where the Supreme Court by a 5 to 4 decision in a contempt case permitted oral testimony to rebut the showing of the record that a quorum was present in a House committee. Justice Jackson, in dissent, noted, however (p. 92): "All the parliamentary authorities, including those cited by the Court, agree that a quorum is required for action, other than adjournment, by any parliamentary body; and they agree that the customary law of such bodies is that, the presence of a quorum having been ascertained and recorded at the beginning of a session, that record stands unless and until the point of no quorum is raised. This is the universal practice. If it were otherwise, repeated useless roll calls would be necessary before every action."

[11] See Executive Report 8, 82d Cong., 2d sess., p. 2, for discussion of this matter.

[12] The hearings were printed as an appendix to the report cited.

[13] *Cong. Rec.*, July 18, 1953, p. 9380; see pp. 9380–87 for discussion.

[14] *Cong. Rec.*, July 20, 1953, p. 9484; see also *Ibid.*, July 21, 1953, p. 9612 for additional discussion.

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BIBLIOGRAPHICAL ARTICLE

A SELECTIVE SURVEY OF LITERATURE ON TIBET*

The literature on Tibet is voluminous and unwieldy. Much of it has been produced by the many travellers who, tempted by the lure of the unknown, have penetrated Tibet's barriers and ventured to explain, usually at length, what makes it mysterious. Another sizeable portion can be ascribed to the long struggle for political control of Tibet. From 1914 until Communist China assumed control of the whole area, political Tibet, i.e., Lhasa-controlled Tibet, was a relatively small segment of cultural Tibet. It was bounded on the north by Sinkiang, on the east by the Chinese provinces of Ch'ing-hai and Hsi-k'ang, on the south by Yünnan, Assam, Bhutan, Sikkim, Nepal, and India, and on the west by India, including Kashmir. Cultural Tibet, however, extends over a much greater area, including part of Ch'ing-hai, almost all of Hsi-k'ang, parts of Yünnan and Szechuan, most of the highland areas of Bhutan and Sikkim, northeastern Nepal, and the inhabitants of the Himalayan uplands of India, as well as the eastern part of Kashmir, Ladakh. Thus, for much of the past two centuries parts of cultural Tibet have been under the real, or nominal, control of different great or lesser powers. None of these powers would agree with the others as to the exact definition of the boundaries of their claims.[1] These political divisions of the area help to swell the mass of literature on Tibet with validations of claims for political control and denials of or protests against such claims. They have also rendered some portions of cultural Tibet more or less accessible to travellers and scholars.

With all this embarrassing wealth of material on Tibet, we have still a relative poverty of information. It is hoped that this highly selective survey will help to bring some order out of the confusion. We deal here only with writings of the past twenty-five years, and particularly with sources of special interest to the political scientist.[2] We begin with some of the more important bibliographic sources.

I. BIBLIOGRAPHIES

Bibliographies concerned exclusively with literature on Tibet are rarely found in Western language publications. Rolf A. Stein's "Récentes études Tibétaines," *Journal Asiatique*, Vol. 240, No. 1, pp. 79–106 (1952), unfortunately concerns itself with less than a dozen books. This is a scholarly analytic work, but for the non-Tibetanist the majority of the sources mentioned will be of relatively little interest. Robert Fazy, in his less limited study, "Essai d'une bibliographie raissonnée, de l'exploration tibétaine," *Mitteilungen der schweizerischen Gesellschaft der Freunde ostasiatischen Kultur*, No. 2, pp. 3–22 (1940), covers a considerable portion of the travellers' reports from earliest times to the present. One shortcoming is that only works dealing with Lhasa-controlled Tibet are considered.

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* For a discussion of the literature on the general area, see Robert J. Miller, "A Selective Survey of Literature on Mongolia," this REVIEW, Vol. 46, pp. 849–66 (Sept., 1952).

[1] The 1914 treaty agreement between British India, China, and Tibet, setting the eastern boundaries of Lhasa Tibet, was never ratified by the Chinese. Yet, despite the fact that China reckoned Ch'ing-hai and Hsi-k'ang as two of her own provinces, the Chinese Communist government could, and did, claim liberation of Tibet when the Chinese troops marched into Hsi-k'ang.

[2] Items concerned exclusively with religion and philosophy are not included. The best and most inclusive bibliographic reference for the religious and philosophical literature on Tibet is the *Bibliographie Bouddhique*, 20 vols. (Paris, 1930–1949).

Since Tibet has occupied much of the interest of the Chinese government in the past decades, it is only natural that Chinese authors have paid considerable attention to sources on this problem area. Several extensive bibliographic articles have appeared in the periodical *Yü Kung* [The Chinese Historical Geography Magazine]. Among these are Wu Yü-nien's "Hsi-tsang t'u-chi lu" [Bibliography of Tibet], *Yü Kung*, Vol. 4, No. 2, pp. 53–63 (Sept. 16, 1935), and the same author's "Hsi-tsang t'u-chi lu shih-i" [Supplement to the Bibliography of Tibet], *Yü Kung*, Vol. 6, No. 12, pp. 107–11 (Feb. 12, 1937). Wu Yü-nien's early effort is supplemented by Fu Ch'eng-yung's "Hsi-tsang t'u-chi lu pu" [Addenda to the Bibliography of Tibet], pp. 65–69 of the same issue of *Yü Kung*. The later article is accompanied by Cheng Yün-ming's "Hsi-tsang t'u-chi-lu tsai-pu" [Further addenda to the Bibliography of Tibet], pp. 95–105 of the February 12, 1937 issue. With the exception of Wu Yü-nien's second article, all the above-mentioned writings list publications in English as well as in Chinese. Unfortunately, most of the English citations are incomplete and many contain serious errors, thereby greatly diminishing the usefulness of these articles.

For more specialized Chinese bibliographic data, the reader is advised to consult Chou Ch'ang-hai, "Chin-tai Kuo-jen Hsi-tsang wen-hua yen-chiu shu-lüeh" [Recent Chinese studies on Tibetan culture], *Chung-yang Ya-hsi-ya*, Vol. 2, No. 4, pp. 60–64 (Oct., 1943); and Yü-nien, "Chin-tai Kuo-jen hsüan-shu chih Hsi-tsang shih-chi" [Recent Chinese contributions to the history of Tibet], *Chung-yang Ya-hsi-ya*, Vol. 2, No. 4, pp. 42–49 (Oct., 1943).

Except for the articles mentioned above, there are no bibliographic aids for work on Tibet comparable to Mr. Chang Chih-yi's "A Bibliography of Books and Articles on Mongolia" (reprinted from the *Journal of the Royal Central Asiatic Society*, Vol. 37, parts II and III, 1950). However, several of the bibliographic works mentioned in "A Selective Survey of Literature on Mongolia" (cited above), have pertinence also for Tibet. Among these is Robert J. Kerner's *Northeastern Asia; A Selected Bibliography*, 2 vols. (University of California, Berkeley, 1939). While this work covers the literature on Tibet to a lesser extent than that on Mongolia, it is still of great assistance for the Tibetan field, especially in its listing of Chinese, Russian, and Japanese language sources. One will find sources of interest under the rubrics "Northwestern China" and "Frontier Problems," as well as in the section labelled "Tibet." Another important bibliographical source for Tibet is the *Bulletin of Far Eastern Bibliography*, edited by Earl Pritchard (1936–40) and published by the Committee on Far Eastern

Studies of the American Council of Learned Societies, Washington, D. C. Its successor, the bibliographic section of the *Far Eastern Quarterly*, should also be consulted. The two works by Rudolf Loewenthal, "Bibliography of Russian Literature on China and Adjacent Countries, 1931–1936" (Harvard Russian Research Center, 1949; mimeographed); and "Works on the Far East and Central Asia Published in the U.S.S.R., 1937–47," *Far Eastern Quarterly*, Vol. 8, pp. 172–83 (Feb., 1949), are useful, although Tibet received far less attention from the Soviet authors than did the other lands of Central Asia.

Of course no listing of bibliographical references for Tibet can afford to omit the excellent and comprehensive bibliography found in Henri Cordier's *Bibliotheca Sinica, Dictionnaire bibliographique des ouvrages relatifs à l'Empire Chinois*, 2nd ed., 5 vols. (Paris, 1904–1924).

Along with these more general bibliographies, attention is called to the Library of Congress, Division of Orientalia, *Southern Asia: Publications in Western Languages, A Quarterly Accessions List*, Vol. 1, No. 1 (Jan., 1952) and No. 2 (April, 1952), Washington, D. C. Worth mentioning also is the August, 1951 number of the journal *Nachrichten* (published by the Gesellschaft für Natur und Volkerkunde Ostasiens, Hamburg). This number, the first issue of *Nachrichten* since 1945, contains two bibliographic sections. The first, "Bibliographie," pp. 12–17, itemizes all the material dealing with the Orient published in Germany since 1948. It contains some items of interest to the student of Tibetan affairs, especially on Tibet's early history, but is not inclusive. The second article, "Bibliographie zur ostasiatischen Kunst und Ärchäologie," pp. 17–24, is a brief account of both German and other European language books since 1939, abridged from *Archiv für Ostasien*, Vol. 1 (1948). Further bibliographic data may be obtained from many of the sources to be discussed later.

II. GENERAL TREATMENTS AND TRAVELLERS' WORKS

A relatively small proportion of the literature about Tibet has been written by professional Tibetanists, or by scholars trained in the social sciences. We must rely, in most instances, upon the official, the traveller, the sportsman, the explorer-geographer, and the missionary. These people have produced many writings worthy of consideration here, as well as some which will be mentioned as a precautionary measure.

One of the best known writers on Tibet was the late Sir Charles Alfred Bell, the Englishman who became the unofficial chronicler of the 13th Dalai Lama and one of the prime interpreters of things Tibetan for English and European readers. From 1908 to 1921, Bell was the British Political Representative for Tibet, Bhutan, and Sikkim. When the Dalai Lama fled to India in 1910, Bell had a chance to become well acquainted with him, and the acquaintance formed then continued up to the death of the late Dalai. Thus Bell was in a unique position to gather information about Tibet. To the works by which he is best known, i.e., *Tibet: Past and Present* (Oxford, 1924), *The People of Tibet* (Clarendon Press, Oxford, 1924), and *The Religion of Tibet* (Clarendon Press, Oxford, 1931), should now be added his *Portrait of the Dalai Lama* (Collins, London, 1946). All his writings have, of course, been influenced by his role as British official and friend of the 13th Dalai. He can hardly be classed as an objective writer when dealing with the political situation in Tibet since the period of British influence, yet he has contributed greatly to our knowledge of political and cultural Tibet.

Sir Frederick O'Conner, in his *On the Frontier and Beyond* (London, 1931), drew upon his years of experience and friendship with the Tibetans, including the late Panchen Lama, to present much of interest and value. David MacDonald, son of an English civil servant who married a Sikkimese, spent over twenty years in constant association with the Tibetan government and its people. He served as the British Trade Agent both in Gyangtse and Yatung, and had more opportunity than most officials to become acquainted with Tibetans from all walks of life. His Sikkimese parentage and sound grounding in the Tibetan language also stood him in good stead. Among his many writings *The Land of the Lama, A Description of the Country of Contrasts and of its Cheerful People of Hardy Nature and Curious Customs; Their Religion, Ways of Living, Trade and Social Life* (Seeley, Service and Co., London, 1929) is most useful for data on Tibet. His *Twenty Years in Tibet, Intimate and Personal Experiences of the Closed Land among All Classes of its People from the Highest to the Lowest* (London, 1932) also makes interesting reading. In this volume he presented his impressions of the Western travellers in Tibet who sooner or later sought his assistance. More recently, in a brief pamphlet entitled *Tibet* (Milford, Oxford University Press, London, 1945), he has presented a useful description of the area.

Other members of the Indian Civil Service have also contributed to the store of English literature on Tibet. Many of the more important writings, including Waddell's classic, *The Buddhism of Tibet, or Lamism*, reprinted (Cambridge, 1939), appeared early in the 20th century, or at the end of the 19th, and therefore fall outside of the purview of this article. The reader will find of interest, however, the works of Sir Francis Younghusband, L. A. Waddell, and John Claude White.

A well-written account of Tibetan life and customs as noted in the capital may be found in Frederick Spencer Chapman's *Lhasa: the Holy City* (Chatto and Windus, London, 1938). An abridged version of this account and of Chapman's mountain-climbing experiences, *Helvellyn to Himalaya, including an Account of the First Ascent of Chomolhari* (Chatto and Windus, London, 1940), has recently appeared as Chapman's *Memoirs of a Mountaineer* (Chatto and Windus, London, 1951). A mountaineering companion of Chapman, Marco Pallis, although he did not succeed like Chapman in visiting Lhasa, has written a work which has become almost a modern classic on Tibetan religious philosophy. Pallis' *Peaks and Lamas* was originally printed in London (1939), but according to the author the revised third edition (Knopf, New York, 1949) is the edition to be regarded as authoritative. Apart from its philosophic content, the work also contains much of interest on Sikkim and Ladakh.

Whereas British traveller-authors have generally approached central Tibet from India, the French approach has usually been from the Chinese border. Foremost among the French authors is the indefatigable Madame Alexandra David-Neel. Madame David-Neel has travelled over much of eastern and central Tibet as well as Sikkim and southern Central Tibet, with only her adopted son, Lama Yongden, as a companion. A confirmed Buddhist, feminist, and French nationalist, she has spared neither British policy nor the Lhasa government in her many works. Her travel accounts are liberally spiced with sharp commentaries on officialdom and on the official British attitude toward her as a woman, and a Frenchwoman at that. Her literary output is matched only by her exploratory and explanatory zeal—and perhaps by her credulity for things miraculous. The work by which she is probably most widely known is *My Journey to Lhasa* (Heinemann, London, 1927), an edition judged superior to the original publication in French, *Voyage d'une Parisienne a Lhassa, à pied et en mendiant de la Chine, à l'Inde à travers le Thibet* (Librairie Plon, Paris, 1927). In addition, her *Tibetan Journey* (London, 1936), which is a translation of *Au Pays des brigands-gentilshommes: Grand Thibet* (Librairie Plon, Paris, 1933), and her *A l'ouest barbare de la vaste Chine* (Librairie Plon, Paris, 1947) comprise the major accounts of her travels and adventures. Her interpretative works include *Magic and Mystery in Tibet* (C. Kendall, New York, 1932), *Initiations and Initiates in Tibet* (Rider and Co., London, 1931), and *Magie d'amour et magie noire: Scenes du Thibet inconnu* (Librairie Plon, Paris, 1937). In all these works, and in the many other titles omitted here, Madame David-Neel's unique understanding and sympathy for Tibetan religious life and thought are manifest. Worth mentioning too is a little book by a young compatriot and protégé of the well-known author. Madame Lafugie's *Au Thibet* (J. Susse, Paris, n.d.) is, as Madame David-Neel aptly remarks in the preface, a beautiful book. Lafugie's expeditions took her through Ladakh, Sikkim, Gyantse and Spiti. Her account is made remarkable by her beautiful sketches and photographs.

One cannot go far into the field of Tibetan studies without coming across two intrepid French travellers of the mid-nineteenth century, the Lazarist Abbés Regis-Evariste Huc and Joseph Gabet. Innumerable editions of the account of their journey from Peking to Lhasa, F. R. Huc's *Souvenirs d'un voyage dans la Tartarie, le Thibet et la Chine pendant les années 1844, 1845, et 1846* (Paris, 1850), have appeared. The most valuable edition is *Huc and Gabet, Travels in Tartary, Thibet and China, 1844–46*, translated by William Hazlitt and edited with an introduction by Professor Paul Pelliot, 2 vols. (Broadway Travellers series, Routledge and Sons, Ltd., London, 1928). It requires the expert hand of Professor Pelliot to enable the reader to sift fact from fiction and error, but the account is valuable to the student of Mongolia and of Tibet.

A book by a more recent French missionary is of interest to the political scientist as well as the general reader. Father Francis Gore, of the Missions-Étrangères de Paris, lived for years on the frontiers of Hsi-k'ang and Szechuan and Yünnan. Thirty years of this sojourn, from 1908 to 1938, are recorded in his *Trente Ans aux Portes du Thibet Interdit* (Hongkong, 1939). Many of the chapters of this work have appeared in various journals, such as the *Bulletin de l'Ecole Française d'Extreme-Orient, La Geographie,* and others. In light of the recent "liberation" of Tibet, Father Gore's observations on Lhasa's reactions to Chou En-lai and Mao Tse-tung and the "long march—" which touched Hsi-k'ang in 1936, should be of interest. One intriguing item is that the Communists, like the Tsarist Russians at the turn of the century, tried to equate Tibet's promised land, Shambala, with Russia. Another member of the Missions-Étrangères, Christian Simonnet, reports his experiences along these same frontiers in the 1940's in *Thibet: Voyage au bout de la Chrétienté* (Monde Nouveau, Paris, 1949). For further data on missionaries in Tibet, there is the French survey of the Capuchin missionaries in F. Callaey, *Missionaires capucins et civilisation Thibétaine* (Etudes Franciscaines 46, Paris, 1934).

The listing of the works of French travellers and explorers in Tibet would not be complete without mention of Andre Guibaut's account of the second Guibaut-Liotart expedition in Hsi-k'ang, *Tibetan Venture: In the Country of the Ngolo-Seta,* translated by Lord Sudley (John Murray, London, 1947). While much of the book concerns areas covered by other authors, first-hand observations of the life and activities of the Ngoloks are not often found. Another Frenchman, Amaury de Riencourt, has written a not unprejudiced appraisal of Tibet's political position at the time of his trip and of his audiences with the Dalai Lama and his regent, in *Roof of the World, Tibet, Key to Asia* (New York, 1950). A vivid book, it is of special interest, since it deals with events of the past decade, and with the people who had to make the decisions.

Germany also has had its share of travellers in Tibet. One of the most prolific writers in this group is Dr. Wilhelm Filchner, who has made numerous expeditions into the area during the past half-century. Many of his works are of interest only to the geographer or to the Tibetanist proper, but some have a less specialized appeal. In this latter category, one might include *Quer durch Ost-Tibet* (E. S. Mittler, Berlin, 1925); *Om mani padme hum. Meine China und Tibet expedition, 1925–28* (Brockhaus, Leipzig, 1929); and *Im Machtbereich des Dalai Lama* (Brockhaus, Leipzig, 1944), an abridged version of *Om mani padme hum.* Of unique interest is his *Kumbum Dschamba Ling, das Kloster der hunderttausend Bilder Maitreyas* (Brockhaus, Leipzig, 1933), with introductions by Berthold Laufer and Ferdinand Lessing. This work, which Filchner himself describes as a "Baedeker" of the famous lamasery of Kumbum, contains two thousand footnotes, prepared with the aid of Dr. W. A. Unkrig. It is in this massive collection of notes, rather than in the formal bibliography, that one should look for citations of interest. It should be noted that the footnotes do not always acknowledge the actual source of some of the contents of the volume. It is Filchner's *Kumbum Dschamba Ling,* incidentally, and not his earlier work, *Das Kloster Kumbum in Tibet. Ein Beitrag zu seiner Geschichte* (E. J. Mittler, Berlin, 1906), literally and figuratively a much thinner book, that one should consult for a really detailed study of the historically important Kumbum.

Lacking Dr. Filchner's years, but vying with his output, is Ernst Schäfer, who spent much of the past twenty years in and near Tibet. Despite its suggestive title, *Dach der Erde* (P. Parey, Berlin, 1937) is only the prologue to his actual entry into Tibet, which is recorded in *Unbekanntes Tibet: Durch die Wildnisse Osttibets zum Dach der Erde, Tibet Expedition, 1934–1936* (Paul Parey, Berlin, 1937). Even this latter volume takes Schäfer only as far west as Batang, and is marred by the author's flagrant nazism. Published later, but based on his participation in the first Brooke Dolan expedition, is Schäfer's *Tibet Ruft: Tibet Expedition, 1931–32* (Berlin, 1942) and *Berge, Buddhas und Bären: Forschungen und Jagd im geheimnisvollen Tibet* (Paul Parey, Berlin, 1933). *Fest der weissen Schleier. Eine Forschung, durch Tibet nach Lhasa, der heiligen Stadt des Gottkönigtums* (Vieweg, Brauschweig, 1949) actually gets Schäfer to Lhasa. This volume was followed by *Über den Himalaja ins Land der Götter. Auf Forscherfahrt von Indien nach Tibet* (Vieweg, Braunschweig, 1950). Of all his books, *Fest der weissen Schleier* is the most interesting. By then (1938–39) Schäfer was on terms of unusual intimacy with the leading personages of Tibet, having come to Lhasa on "invitation." The book is also marked by superb photographs of Lhasa.

Among the more limited works of German travellers are Walter Bosshard's *Durch Tibet und Turkistan, Reisen im unberührten Asien* (Stuttgart, 1930), which concerns northeastern Tibet; W. Lentz's *Auf dem Dach der Welt* (Berlin, 1931), an interesting and informative account; and Emil Trinkler's *Im Land der Stürme. Mit Yak und Kamelkarawanen durch Innerasien* (Leipzig, 1930), translated into English as *Stormswept roof of Asia. By Yak, Camel and Sheep.*

Perhaps the most prolific writer on Tibet is the recently deceased Sven Hedin, but most of the material which he published after 1926 consists of popularized versions of earlier works, or of books adapted for a juvenile following. In these categories fall such titles as *A Conquest of Tibet,* translated by Julius Lincoln (Dutton, New York, 1934); *Eroberungszüge in Tibet* (Brockhaus, Leipzig, 1940); *Abenteuer in Tibet* (Brockhaus, Leipzig, 1940), a considerably abridged version of the original; and *Im verbotenen Land* (Leipzig, 1937) and *Wildes heiliges Tibet* (Leipzig, 1944), both intended for a young audience. A commentary on Hedin's travels in Tibet is Walter Heichen's *Der Todesgang der Karawane, ein Tatsachenbericht über Sven Hedins Reisen durch Tibet* (Weichert, Berlin, 1936).

Worth at least a glance is Arnold Heim and August Gansser's *Throne of the Gods,* translated by Eden and Cedar Paul (Macmillan, New York, 1939). Although Heim and Gansser were primarily concerned with mountaineering, they did have an understanding and appreciation of the people with whom they came in contact, and they have enriched their work with extremely good photographs.

It is when we deal with the Italian traveller-explorers in Tibet that we come across a store of some of the most valuable and well-written literature on the area. Many of the Italian authors of informative general travel books also have brought the social sciences to bear upon Tibetan problems and belong in the category of experts in the field of Tibetan studies.

One of the earliest accounts of Tibet we have is Father Ippolito Desideri's story of his adventures early in the 18th century. Entitled *An Account of Tibet,* *The Travels of Ippolito Desideri of Pistoia, S.J., 1712–1727,* edited by Filippo de Filippi, with an introduction by C. Wessels, S.J. (rev. ed., The Broadway Travellers series, George Routledge and Sons, Ltd., London, 1937), this work is interesting not only as the report of an early traveller, but also because of the scholarship of De Filippi. Even without the added value of De Filippi's extensive notes and bibliography, however, this volume would be extremely important. It was in the period of Desideri's stay in Lhasa that the first effective Chinese claim to sovereignty over the area was made. Here we have an eyewitness account of the turmoil in Tibetan politics that brought the Manchu empire's forces into the Tibetan capital. Here also we have a very human account of a Tibet which was most hospitable to the foreigners in its confines. For further reports by Father Desideri, there is the collection and publication of his letters by H. Hosten, "Letters and other papers of Father I. Desideri, S.J. . . . ," *Journal of the Asiatic Society of Bengal* (3rd series), *Letters,* Vol. 4, pp. 567–767.

In his *La prima missione Cattolica nel Tibet* (Istituto and Missioni Estere-Parma, Hongkong, 1951), Giuseppe M. Toscano tells the story of the first Catholic missionaries—particularly the Portuguese Father Antonio de Andrade. This work also gives an account of the history of the small states of Guge and Tsaparang, where these first missionaries had established themselves. Much of the data presented are gleaned from de Andrade's reports.

Filippo de Filippi's contribution to the literature on Tibet does not end with his editorship of Desideri's *Account.* As leader of the De Filippi (Italian) expedition to western Tibet in 1913–14, he acquired a first hand knowledge of Tibetan life. *The Italian Expedition to the Himalaya, Karakoram and Eastern Turkestan (1913–14)* (Edward Arnold & Co., London, 1931) is the popular English account of this expedition. One of the most valuable chapters in this volume is that by Giotto Dainelli in which he presents sound ethnographic observations on the Ladakhi. Also of value is the bibliography.

Almost twenty years later Dainelli returned to Ladakh. The account of his return is presented in *Buddhists and Glaciers of Western Tibet,* translated by Angus Davidson (Kegan Paul, London, 1933). Although Dainelli responded to the physical challenge of the great mountains like many others who have braved the rigors of the Himalaya, this book devotes relatively little attention to the "glaciers" and much more to the "Buddhists" of the area. Again the author presents ethnographic data, even more valuable than his earlier observations. His liking and sympathy for the Ladakhi avoids, fortunately, the pitfall of the "noble savage" concept.

Perhaps the outstanding scholar-traveller of the region is Giuseppi Tucci. Many of Tucci's works by right belong in the following section, but even in the realm of "general treatments" he has a special niche. Tucci has led several expeditions into different sections of western and central Tibet, and in 1952 conducted an expedition in Nepal. An account of one of his earlier expeditions is given in *Secrets of Tibet, Being the Chronicle of the Tucci Scientific Expedition to Western Tibet, 1933,* by Giuseppi Tucci and Captain Eugenio Ghersi (Glasgow and London, 1935). This is translated from Tucci and Ghersi's *Cronaca della missiona scientifica Tucci nel Tibet occidentale (1933)*, Reale Accademia d'Italia, Viaggi di studio ed esplorazioni 2, (Rome, 1934). A revised and conventionalized narrative version was published in the United States as *Shrines of a Thousand Buddhas, Exploring for Tibet's Hidden Art*, by Tucci and Ghersi (McBride and Co., New York, 1936). A subsequent expedition, in 1935, is presented in Tucci's *Santi e briganti nel Tibet ignoto* (Milan, 1937). Only years later did this eminent Tibetanist receive the necessary permission to travel to Tibet's capital. The story of this at long-last realized expedition appeared as *A Lhasa e oltre, Diario della spedizione nel Tibet* (Rome, 1950).

Outstanding also, but in a different way, is the work of another Italian mountaineer-traveller, Fosco Maraini. His *Secret Tibet* (Viking Press, New York, 1952) contains a most valuable collection of photographs of Tibet and Tibetans. Some of these pictures had appeared earlier—and more expensively—in portfolio form. The present collection includes many new photographs and a well-written text, translated by Eric Mosbacher. Maraini dedicated his book to his "master" Tucci and it bears the same stamp of high quality that has marked other Italian works on Tibet. It also includes a short but good bibliography.

After so many stimulating accounts by European travellers, it is a let-down to turn to the works of Americans. As the worst examples seem to be standard equipment in university libraries, it seems advisable to review some of these writings.

Gordon Bandy Enders had the advantage of growing up in Almora, near the Indian borders of Tibet, and he became acquainted with many of the Indo-Tibetan traders. As a child he made a trip across the border to Rakas Lake, but this seems to have been the total of his penetration into Tibet Proper. His *Nowhere Else in the World* (Farrar and Rinehart, New York, 1935) takes him all over the world, except into Tibet, despite his preoccupation with the country. The book is filled with annoying inaccuracies and outright errors, even about geography. One might be inclined to dismiss both this effort and his subsequent publication, *Foreign Devil: An American Kim in Modern Asia* (Simon Schuster, New York, 1942), largely a rehash of the period covered in the first book, except that he has laid claim to being the American confidant-advisor, and self-appointed champion, of the late Panchen Lama during the years 1932–37, when the Panchen was in exile in China. He should therefore, perhaps, be read for his accounts of the Panchen's version of Tibetan-Chinese relations.[3] In the course of his adulation of the late Panchen, he has attributed to him the "scorched earth" strategy against Japan, and has his hero, practically single-handedly, staving off Japanese aggression in Inner Mongolia.

Another American writer on Tibet with an overdeveloped sense of the dramatic and an underdeveloped devotion to facts is Harrison Forman, author of *Through Forbidden Tibet; An Adventure into the Unknown* (Longmans, Green and Co., New York, 1935). Forman went neither through, nor even into, "forbidden Tibet," but spent his time in the then highly accessible Chinese areas of Lhabrang and Hsining. In his account he conveniently ignores the presence of many other Westerners. As Li An-che stated in his "Through Forbidden Tibet?", *Yenching Journal of Social Science*, Vol. 2, pp. 289–93 (Feb., 1940), this work can only be classed as a novel.

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[3] The late Panchen Erdeni disavowed the claims made on his behalf, in a letter to Basil Crump. See *Journal of the Royal Central Asian Society*, Vol. 23, p. 720 (1936).

Edwin G. Schary's *In Search of the Mahatmas of Tibet* (Seeley, Service and Co., Ltd., London, 1937) would ordinarily be regarded as completely fantastic, except for the fact that it is true. This young man, blissfully unaware of Tibetan adventuring protocol and without a single companion, porter, or disguise, strolled across western Tibet to become the first Westerner since Desideri to take this west-east route. Aside from the account of this accidental achievement and Schary's naively charming style, the book has little to recommend it.

In a different category is Lowell Thomas, Jr.'s *Out of this World, Across the Himalayas to Forbidden Tibet* (Greystone Press, New York, 1950). The Thomases, father and son, did get into Tibet and to Lhasa; in fact, they went by invitation. Although the number of Westerners to get into Tibet and even to Lhasa was hardly as small as claimed, the fact remains that the Thomases may well have been among the last. It is therefore regrettable that a large part of the book is concerned with their own tribulations. Even so, it does throw a little light upon Lhasa just before the Chinese Communists began Tibet's "liberation."

Another American to receive one of the coveted invitations to Lhasa was Suydam Cutting. As a member of the Cutting-Vernay expedition for the American Museum of Natural History in 1935, he collected many of the items of that museum's Tibetan exhibition. His *Fire Ox and Other Years* (New York, 1940) is an interesting and well-written narrative of his travels in Tibet and its capital, as well as in other lands.

While he did not get into political Tibet, our peripatetic Supreme Court Justice, William O. Douglas, has given us, in his *Beyond the High Himalayas* (Doubleday, New York, 1952), a book definitely deserving of attention for its warm account of the peoples of Ladakh and their neighbors.

Among authors who have written general accounts as well as analytic works on the Tibetan field is George Roerich. His *Trails to Inmost Asia: Five Years of Exploration with the Roerich Central Asian Expedition* (Yale University Press, New Haven, 1931) is interesting both on Mongolia and on Tibet, though much of the work is distorted and unreliable. The same can be said for another product of this expedition, *Heart of Asia* (New York, 1930), by Nicholas Roerich, the father of the previous author.

One American Tibetanist has even made the ranks of the book-club authors. Robert Brainerd Ekvall, son of an American missionary on the China-Tibet border, spent his early youth in this area of northeastern Tibet, known as Amdo. He too became a missionary to the Tibetans for a period of his adult life, and the accounts of his Tibetan friends presented in his *Tibetan Skylines* (Farrar, Strauss and Young, New York, 1952), a Natural History Book Club selection, make the sort of reading one finds very rarely in this field. In other works Ekvall has made contributions to the analysis of Tibetan-border culture, but in this series of sketches of individual Tibetans, the reader sees the Tibetan nomads as persons instead of as museum pieces. Ekvall, moreover, deals with the Tibetan "man in the street," or more appropriately "man in the saddle," rather than only with important personages.

Among works by Asiatic authors is Shen Tsung-lien's *Tibet and the Tibetans* (Stanford University Press, Stanford, 1952). Shen Tsung-lien was the last Chinese Nationalist Resident in Tibet. During his three years in this office Mr. Shen, now residing in the United States, had considerable contact with the officials—both lay and clergy—who composed the Tibetan government. Due to his own high position, he had excellent opportunities to meet and study the Tibetan noble families. For his descriptions of the workings of the government and of high society, his work is decidedly worthwhile, and relatively free from the biases one might expect.

Another Chinese official, Ma Ho-t'ien, who has also written on Outer Mongolia,[4] has published, in Chinese, a three-volume work, *K'an, Ch'ing Tsang pien-ch'ü k'ao-ch'a-chi* [A record of investigation on the Kansu, Ch'inghai and Tibetan frontier] (Shanghai, 1947). This lengthy diary, which deals with all the border peoples of the area, including the Moslems as well as the Tibetan and Mongol populations, is now being translated into English (by Lincoln Wong of the Inner Asia Project of the University of Washington's Far Eastern and Russian Institute) as *Diary of Travels in the Border Region of Kansu Ch'inhgai and Tibet*, for the Human Relations Area Files, Inc. Another Chinese travel account is Liu Man-ch'ing's *K'ang Tsang yao-cheng* [A travel to Hsi-k'ang and Tibet] (3rd ed., Changsha, 1938). As might be expected, the bulk of Chinese material on Tibet is primarily concerned with the "Tibetan problem" and relatively few pieces have appeared which can be classed as "general accounts." One other item of this nature, however, is Chang Ch'ih-seng's "Hsi-tsang Feng-su sho-shih" [A collation of customs of and folkways in Tibet], which appeared in *Chung-yang Ya-hsi-ya*, Vol. 1, pp. 52–61 (July, 1942). In the course of the Inner Asia Project's translation of this work it was discovered that Mr. Chang had lifted his material bodily from Mrs. Louis King's *We Tibetans*, without, of course, any acknowledgements.[5] Chang Ch'ih-seng is an obvious pseudonym, so there is little chance of discovering what other plagiarisms he may have perpetrated under other names.

Recently published, although based upon expeditions in the period 1902–1914, is Uehara Yoshitaro's *Shin-Sei Iki Ki* [New record of Tibet] (Yukosha, Tokyo, 1937). This major work is based upon the three Otani expeditions.

India also has had its spate of traveller-authors on Tibet. Unfortunately, none of the recent Indian writers can approach the position held by Sarat Chandra Das, one of the best and most prolific sources of Tibetan data for the late 19th and early 20th century. Of the current travel reports, Swami

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[4] See his *Chinese Agent in Mongolia* (Baltimore, 1949), translated by John de Francis.

[5] This author is preparing an article revealing the details of the plagiarism.

Pranavananda's *Kailās-Mānasarōvar* (Calcutta, 1949) and Pandit Aman Nath's *An Echo of the Unknown or Guide to Ladakh* (Basel Mission Press, Mangalore, 1931) are the most useful for Western readers, especially for the detailed information they present on the areas visited.

Worth noting are three books whose inspiration was derived from individual Tibetans. *We Tibetans* (Seeley, Service and Co., Ltd., London, 1926), by Rinchen Lha-mo (Mrs. Louis King), is a pretty tale of Tibetan life by a Tibetan woman who married a British civil servant. The Tibet of the book bears a strong resemblance to Shangri-la, but slight resemblance to any other versions of Tibetan life which have appeared. S. H. Ribbach's *Dropga Namgyal, Ein Tibeterleben* (München-Planegg, 1949) is a composite and fictionalized biography of a west Tibetan nomad. The third work is Combe's *A Tibetan on Tibet: Being the Travels and Observations of Mr. Paul Sherap (Dorje Zödaba) of Tachienlu* (T. Fisher Unwin, Ltd., London, 1926), an extremely valuable contribution.

Access to the Tibetan area now being definitely limited, we can anticipate few additions in the near future. Useful, sometimes first-hand general information may still be obtained, however, especially from *The Himalayan Times* (Kalimpong, India), a small weekly newspaper serving the traders and merchants of the Himalayan area, and from the *India Press Digests* published bimonthly by the Bureau of International Relations of the Department of Political Science, University of California, Berkeley.

III. ANALYTIC STUDIES

While it cannot hope to rival the profusion of travellers' accounts published in the past twenty-five years, the number of analytical studies on Tibet published in this same period is surprisingly large. In view of the recent political importance of Tibet, and the surge of interest which this has caused, it has seemed advisable to restrict the bibliographic suggestions here to those works which have some bearing on the current situation. This restriction, unfortunately, means that some of the best studies which have appeared to date, ranging from the massive and impressive work of Tucci, *Tibetan Painted Scrolls* (Libreria della Stato, Rome, 1949, two vols. and portfolio), to the short but exciting article by Helmut Hoffman, "Tibets Eintritt in die Universalgeschichte," *Saeculum*, Vol. 1, pp. 258–79 (1950), must be excluded.

Political History. Despite the fascination which the early history of Tibet holds for the scholar, for all practical purposes the seeds of Tibet's present condition were sown early in the eighteenth century. It was then that the Chinese army twice crossed Tibet—once with a young 7th Dalai Lama and once to repel the Gurkhas. After each of these exploits the Ch'ing imperial government tightened its control over Tibet, ultimately reducing the land of the lamas to the status of a Chinese protectorate, a status it was to occupy until the overthrow of the Manchu dynasty. It was this century also that witnessed the first tentative steps taken by the British East India Company to cross the Himalayas and to establish relations with the Tibetan hierarchs—steps which culminated in the Younghusband expedition of 1904–05 and the establishment of Britain's interest in the affairs of Tibet.

For this momentous period we have two especially valuable studies. One, by Luciano Petech, a colleague of Tucci's, *China and Tibet in the Early Eighteenth Century: The History of the Establishment of the Chinese Protectorate in Tibet*, T'oung Pao Monographs, #1 (Leiden, 1950), deals with the internal developments in Tibet which preceded and followed the battle over the rightful successor to the seat of the Dalai Lama.[6] Petech used the magnificent collection of Tibetan documents that Tucci had acquired, and his work is enriched by material from both Chinese and Tibetan sources. For those interested in Mongol affairs during this same period, this might be classed as a "bonus" book, for it studies closely the role that the Mongols, as well as the Chinese, played in the struggle to control Tibet. Petech has included a very useful bibliography of Chinese, Tibetan, and Western sources, as well as genealogical tables, maps, and charts.

A companion piece to the above is Schuyler Camman's *Trade through the Himalayas: The Early British Attempts to Open Tibet* (Princeton Univ. Press, Princeton, 1951). Dr. Camman, in addition to gathering data on the first British opening of the Tibetan oyster, places events in the context of the then current situations in China and in England. He thereby enables us to see the missions of George Bogle (1774) and Samuel Turner (1783) not as isolated events, but against the backdrop of British attempts to trade with China Proper. He also supplies a picture of the workings on the British political scene which were to play their part in giving Tibet almost a century's grace. Camman utilizes both European and Chinese sources, and has appended an annotated bibliography to his work. Other recent data on these British missions to Tibet can be found in D. B. Diskalkar's "Bogle's Embassy to Tibet" (1933) *Indian Historical Quarterly*, Vol. 9, pp. 420–38, which includes previously unpublished letters of Bogle, and in Petech's "Missions of Bogle and Turner according to the Tibetan texts," *T'oung Pao* 39, 4–5 (1950), pp. 330–47. Petech has used the official biographies of the 8th Dalai and the 4th Panchen, or Tashi, Lama and various other contemporaries. Another brief article by Diskalkar, "Tibeto-Nepalese War, 1788–1793," *Journal of the Bihar and Orissa Research Society*, 19 (1933), pp. 365–66, discusses the events which led directly to China's assuming open control of Tibet.

A Chinese historian, Wu Feng-p'ei, has rendered valuable aid to students of Tibet through his *Ch'ing-tai Hsi-tsang shih-liao ts'ung-k'an ti-i chi* [First collection of historical material on Tibet from the Ch'ing Dynasty] (Shanghai, 1937) and his *Ch'ing chi ch'ou-Tsang tsou-tu* [Memorials concerning Tibet of Ch'ing times] (Changsha, 1938, three vols.). The former work contains data on Indo-Tibetan relations and the latter, as indicated by its title, is a collection of the official memorials concerning Tibet.

These last two sources bring us beyond the eventful 18th century into our own era. Several authors have covered the history of Tibet from the 1700's to the 1900's, but the quality of their work does not approach that achieved in the more intensive studies of the earlier period. Among these efforts one should include Dr. Wei-kuo Lee's *Tibet in Modern World Politics (1774–1922)* (Columbia Univ. Press, New York, 1931), which contains a good collection of information but tends to project modern problems back to the 18th century. The historical section is weakened by the failure to consult the official dynastic histories and their mass of data. Dr. Lee also traces the gradual encroachments by the British in "Ying-kuo chin-lüeh Hsi-tsang chih hsia-tuan" [The beginning of British exploitation in Tibet], *Quarterly Review of the Sun Yat-sen Institute for the Advancement of Culture and Education,* Vol. 2, pp. 228–41 (1935).

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[6] Father Desideri's *Account* presents his eyewitness version of the occurrences surrounding the first of these invasions.

Several notches below Dr. Lee's doctoral dissertation is Lai Tze-sheng's *Le problème thibétain* (Pedone, Paris, 1941). Dr. Lai's work deals primarily with Tibet's relations with Britain, although there is a small section on Tsarist Russia and Japan. The author's thesis seems to be that the Tibetans are really Chinese plus a little extra, and that there is no room for argument as to the relationship of Tibet to China: Tibet is just part of the one big family. Lai's work is marred also by an exceedingly poor collection of Western bibliographic sources. Britain's role in Tibet receives more scathing words from Taraknath Das in *British Expansion in Tibet* (Calcutta, 1929) and from D. Ferestanov in his "Angliiskii imperializm v Tibete" [English Imperialism in Tibet], *Zarubezhnom Vostoke,* 2, 7 (1934), pp. 70–80. A somewhat calmer but decidedly sketchy treatment is to be found in E. T. Williams' *Tibet and Her Neighbors* (Univ. of California Press, Berkeley, 1937).

Perhaps one of the most useful sources on the controversy between China, Britain, and Tibet after the Manchu period is *The Boundary Question between China and Tibet. A Valuable Record of the Tripartite Conference between China, Britain and Tibet, Held in India, 1913–14,* by "A Pekinese" (Peking, 1940). This little book consists of translations of the official papers presented at the Delhi (January 12, 1914) and Simla (April 22 and 27, and July 3, 1914) conferences. They include the claims of the Tibetan plenipotentiary, the Chinese counterclaims, the British proposals, and the general proceedings of the conferences. The book marked the first airing of the actual claims and counterclaims and of the evidence produced in support of each side. The papers are valuable also in that they demonstrate the close records kept by the Lhasa government of its claims for authority. Although it is not specifically stated, one can assume that the texts presented are those of the official translations checked by the officials involved, and not retranslations.

A Chinese portrayal of the two flights of the Thirteenth Dalai Lama, the first to China to escape the British under Younghusband and the second to India to escape the Chinese, Wu Feng-p'ei's "Ch'ing-chi Ta-lai la-ma ch'u-wang shih-chi k'ao" [A historical study of the flights of the Dalai Lama in the Ch'ing period], *Chung-te hsueh chih,* 5 (1943), pp. 310–45, has been translated by Mr. Perry Chang of the Inner Asia Project for the Human Relations Area

Files, Inc. Further insight into the character of the late Dalai—the first since the famous Fifth Dalai to assume effective temporal control—is afforded by an article which, on the surface, has little political significance. This is René Nebesky-Wojkowitz's "Das tibetische Staatsorakel," *Archiv für Volkerkunde*, 3 (1948) pp. 136–55. In the course of discussing the historic role of the oracle in state affairs, the author reveals the transfer of the oracle from one important monastery to another by the late Dalai, an act which called for an extremely powerful hold over the many factions within and without the ecclesiastic organization.

From the early days of the Chinese Republic until the death of the Thirteenth Dalai Lama, the Lhasa government had a heyday of relative independence (if we ignore the British mission). With his death this independence again tottered. According to A. J. Hopkinson, last British Political Officer of Sikkim, in his "The Position of Tibet," *Journal of the Royal Central Asian Society*, Vol. 37, pp. 221–39 (1950) and H. E. Richardson, head of the last British Mission to Lhasa, in his "The State of Tibet," *Ibid.*, Vol. 38, pp. 112–22 (1951), the Chinese delegation, which officially came only to honor the dead Dalai, stayed for over a decade and definitely wore out its welcome.

The recent events in Tibet, including the "triumphal" return of the young Panchen Lama with his escort of Chinese Communist troops, mark a continuum with the Tibetan policies of the Kuomintang and Manchu governments. These events are much too current to have produced studies with any real perspective, but there has been a veritable rash of articles, including the two last-mentioned British pieces. On the other side of the fence is Dr. André Migot's "Les lamas souverains du Tibet," *France-Asie*, Vol. 66–67, pp. 549–62 (1951); Vol. 68, pp. 684–96 (1952). While primarily a slight treatment of the succession of Dalai and Panchen Lamas up to 1952, this article is interesting for its attempt to prove the "co-sovereignty" of the two incarnations, the right of the Chinese Communists to take over, and the liberality which they have exhibited. Like the Chinese, Migot feels that Tibet's role as a Chinese dependency began in the Yüan Dynasty under Kublai Khan and has continued ever since.

With the establishment of the Republic of India, India fell heir to Britain's interests in Tibet. Both Hopkinson and Richardson served the new nation in their old posts, the former from Sikkim to Gyantze, the latter at Lhasa. As we know, what India inherited here was hardly a peaceful legacy. The *India News Bulletin*, Nov. 14, 1950, contains the text of the notes exchanged between the Peiping and New Delhi governments on the annexation of Tibet. A. C. Banerjee, in his *The Problem of Tibet* (Uttarayan Monographs on Current Affairs, #11, Calcutta, 1951), a pamphlet intended for popular circulation, traces Tibet's foreign relations up to 1950 and presents the opinion of a strong Indian faction on India's rights in Tibet and the position that India should take with China to maintain these rights. A more recent article on India's relations with China and the Tibetan situation is Dr. Shao Chuan Leng's "India and China," *Far Eastern Survey*, Vol. 21, pp. 73–78 (May 21, 1952).

Tibetan Culture. Before concluding this survey, it seems advisable to mention a few of the works which tell something about the people and the economy of the area.[7] Two useful introductions to Tibetan culture in general are to be found in *An Introduction to Tibetan culture*, by Cheng Te-k'un and D. M. Sullivan (West China Union, Guidebook #6, pp. 1–40), and the *Catalog of the Tibetan Collection and Other Lamaist Articles*, published as several pamphlets (1950—) by the Newark Museum, Newark, New Jersey. While both of these works are concerned with their respective museum exhibits of Tibetan material culture, the former also presents a concise account of Tibetan society, and the latter deals with different aspects of Tibetan culture in each of its numbers. To these might be added Robert Bleichsteiner's *Die gelbe Kirche* (Josef Belf, Vienna, 1934), with a French version entitled *L'Eglise Jaune*, translated by Jaques Marty (Paris, 1937). Bleichsteiner's work is useful for its description of paraphernalia and practices of the Yellow Sect of lamaism, and in general surpasses L. A. Waddell's classic, *The Buddhism of Tibet or Lamaism* (London, 1895). Whereas Waddell was perforce restricted largely to material from the lamaism of Sikkim, which is not of the Yellow Sect, Bleichsteiner was able to discuss directly the official sect of Tibet and Mongolia.

A Chinese anthropologist who has published widely in English, Li An-che, has written a number of articles examining the different lamaist sects from the viewpoint of a social scientist. Included among these, and useful as aids through the maze of sects and cult practices, are "Tibetan religion," in *Forgotten Religions*, edited by Vergilius Ferm (Philosophical Library, New York, 1950), pp. 251–71; "The Bkah-brgyud sect of lamaism," *Journal of the American Oriental Society*, Vol. 69, pp. 51–59 (1949); "The Sakya sect of Lamaism," *Journal of the West China Border Research Society*, Vol. 16, series A (1945), pp. 72–87; "Rnin-ma-pa: the early form of lamaism," *Journal Royal Asiatic Society* (1948) pp. 142–63; and "Bon: the magico-religious belief of the Tibetan-speaking peoples," *Southwestern Journal of Anthropology*, Vol. 4, pp. 31–43 (1948). The same author deals with the ubiquitous Tibetan monastery in "A Lamasery in outline," *Journal of the West China Border Research Society*, Vol. 14, Series A (1942), pp. 35–68.

One of the most distinctive features of Lamaism is the system of reincarnation and the "Living Buddhas," from the Dalai and Panchen Lamas down to a host of minor incarnations. The methods employed in finding, recognizing, and training these incarnate Buddhas, and their roles in Tibetan life, are discussed by Professor Li-Yu-i in "Hsi-tsang ti huo-Fo" ["The Living Buddhas of Tibet"], *Yenching Journal of the Social Sciences*, Vol. 1, pp. 117–31 (1948). This very useful article has been translated for the Human Relations Area Files, Inc., by Mr. Perry Chang of the Inner Asia Project at Washington.

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[7] In view of the frequent discussion about differences between "Asiatic" and "Western" minds, it is not inappropriate to mention Dr. Giuseppe Tucci's "Teoria e pratica del mandala con particolare riguardo alla moderna psicologia del profondo," *Psiche e consienza*, Vol. 12 (1949). In this intriguing article, Dr. Tucci examines one of the most esoteric aspects of Tibetan religion, i.e., its cosmology and the methods employed to achieve "oneness" with the universe, in terms of the Jungian school of psychology.

Regional Studies. While little has been done on Central Tibet by the social scientist, several excellent studies have appeared for particular regions, especially for eastern Tibet and the Sino-Tibetan borders. In this category falls Robert Brainerd Ekvall's *Cultural Relations on the Kansu-Tibetan Border* (University of Chicago Press, Chicago, 1939). This is a social anthropological study of the interrelations of Chinese, Moslem, nomadic, and sedentary Tibetans in the modern period. A detailed study of the nomadic population of this area is Matthias Hermanns' *Die Nomaden von Tibet. Die sozial-wirtschaftlichen Grundlagen der Hirten-Kulturen in Amdo und von Innerasien. Ursprung und Entwicklung der Viehzucht* (Vienna, 1949), which appeared originally as Dr. Hermann's doctoral dissertation under the title, *Die Amdo-pa Grosstibeter; die sozial-wirtschaftlichen Grundlagen der Hirtenkulturen Innerasiens* (Freiburg, 1948). This is a major contribution to the studies of nomadism. Also dealing with the nomad population of this area is Yu Hsian-wen's *Report on the Social Conditions of the Nomad Population in the Tibetan area of Northwest China* (in Chinese) (Commercial Press, Shanghai, 1947). A more specialized study for this same Kansu-Ch'inghai region is the work by Li Yü Shih-yü, wife of Dr. Li An-che. In "Tibetan Folk-law," *Journal of the Royal Asiatic Society* (1950), pp. 127–48, the author draws upon her four years of field experience in the area. In addition to the data on folk-law, a Manchu court edict of 1733 A.D., "Rules of punishment for Tibetans," is presented.

For the region south of Amdo, Li An-che has provided a study of the (then) semi-independent state of Derge, in Hsi-k'ang, in his "Derge: a study of Tibetan population," *Southwestern Journal of Anthropology*, Vol. 3, pp. 279–94. Hsi-k'ang Proper has been the scene of quite a few investigations. Among these should be included Lin Yueh-hwa's "Social life of the Tibetans in northern Sikang" (in Chinese), *Comet Monthly*, Vol. 1, #1–5 (1945), and Jen Nai-ch'iang's *Hsi-k'ang t'u-ching* [Pictures from Hsi-k'ang], 2 vols. (Nanking, 1933). The first volume deals with Hsi-k'ang geography and the second with the people. A valuable socio-economic study of this area is Ch'en Han-seng's "Frontier land systems in southernmost China. A comparative study of agrarian problems and social organization among the Pai-Yi people of Yunnan and the Kamba people of Sikang" (International Secretariat, Institute of Pacific Relations, New York, 1949, mimeographed).

For the Ladakh region, the *Relazioni scientifiche della spedizione Filippi nell' Himalaya, Caracorum et Turchestan Cinese (1913–1914)*, 15 vols. (Bologna, 1932–34), written by various members of the expedition, presents a very thorough picture. Perhaps of most pertinence is the volume (VIII) by Giotto Dainelli, *Le condizioni della Genti*, which utilizes official reports of the local government and other documentary sources. The bibliographic appendix is very useful.

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BOOK REVIEWS

Politics and the Constitution in the History of the United States. By William W. Crosskey. (Chicago: The University of Chicago Press. 1953. 2 vols. Pp. xi, 708; viii, 709–1410. $20.00 a set.)

Surely every adult student of the social sciences has, at some time in his career, improved a few shining hours by pondering what might be called the anatomy of achievement. What qualities lift a scholarly enterprise to the level of a "major contribution"? What distinguishes the significant from the routine? In which direction do the frontiers lie, and what sort of striving will push them further? These speculative concerns may indeed die early and be forgotten, like other long, youthful thoughts of graduate school days. An endless prospect of classroom preparations and bluebooks and mortgage payments may jade the questioning spirit; or—better perhaps—a personally sufficient answer may be found somewhere near the foot of the mountain and Olympia proper may be left thereafter to its own devices. But each time a book is hailed, even by its publishers, as a "bombshell" which "remakes history," memories will stir. And if the book, when read, appears to present a challenge remotely justifying the easy encomiums of those who set its type, the old queries may come trooping back.

One of these queries in particular is compellingly brought to mind by an examination of Mr. Crosskey's massive work. Put succintly, it comes to this: is overstatement a scholarly virtue? To be somewhat more explicit, are significant heights in the social sciences usually achieved most readily by those who adopt an extreme position and dogmatically insist upon its complete validity; who ride a point of view to its utmost conclusion, damning all exceptions and uncertainties? The suggestion is not, of course, that boldness and dogmatism alone can make a mediocre work important, but that the books that change our minds tend to be distinguished by these qualities among others. Certainly there is some ground for believing that this is so. Veblen and Beard, for example, would stand high in any pantheon of twentieth-century masters selected by a consensus of scholarly opinion. Yet Veblen tortured his material unmercifully and sometimes slipped into arrant absurdity in order to draw all phenomena within his construct; and Beard, though a latter-day penitent, in his early works gave his followers little reason to believe that he regarded the "economic interpretation" as less than All. Like instances could be cited at length from amongst greater and lesser thinkers in the history of social analysis. These men made their points powerful by overstating them. Would Veblen have fallen with the same impact on American thought if he had been willing to admit that "pecuniary emulation" was only one among several important motivations in the behavior of "the leisure class"? Would Beard have spawned whole generations of historians if he had carefully qualified his insight that Jeffersonian democracy could be explained in terms of economic interest? Indeed they would not; and extremism in the statement and development of a position is therefore at least excusable and quite conceivably essential, assuming that the basic insight is at all sound. The overemphasis will be corrected by later scholarship, and the solid residue of social understanding will remain. Or so the argument might run.

The bearing of such reflections on Professor Crosskey's book should not be hard to establish. These volumes are so provocative, so daring, and so ably constructed that they merit a fairly extensive even though selective summary, and the relevance to the problem posed in the last paragraph will become abundantly clear as we proceed.

Stated as compendiously as the breadth of the subject will allow, Mr. Crosskey's thesis is as follows: The framers of the Constitution did not, as is commonly supposed, erect a government in which the important powers were divided between the states and the nation. Their purpose was to establish a national government with plenary authority to perform its tasks unrestricted by any consideration of "states' rights" or by any implied bias against general and unspecified governmental power. Within that system the national executive and judiciary were assigned important roles, but Congress was unquestionably supreme. This was the view of the new government contemplated not only by those who framed it but also by the people as a whole who ratified the Constitution, and by all the early statesmen who talked frankly and knew what they were talking about. It is the only view which makes it possible to read the Constitution from first to last as a logically consistent document, instead of as a hodgepodge of discordancies and fictions. This logical interpretation is shown beyond question to be the correct one when we read certain key words of the Constitution in the light of their eighteenth-century meanings rather than in their modern usages. The reasons for the multitude of mis-readings which have persisted and proliferated during the past 150 years are largely political, at least in the first instance: the plain intention of the framers was perverted by the Jeffersonian states' rights school after 1800 so that Republican principles could triumph in the politics of the nation; and the apostasy was carried on by judges who have sometimes erred wilfully and have sometimes been honest victims of misapprehensions foisted upon them by the Jeffersonian heretics.

On the bedrock of this general theme Mr. Crosskey erects a skyscraper of argument; most of the major clauses of the Constitution are analyzed with exhaustive care; evidence is drawn from numberless sources; every brick is fitted painstakingly into the structure so that no rough edge shows. It is quite impossible to recapitulate this discourse in such a way as to do it justice, but perhaps a sketchy treatment of some of the more important matters covered will suggest the flavor of the whole.

The power "to regulate commerce among the several States" was designed, says the author, to endow Congress with full control over all the commercial affairs of the nation without the slightest concern for the question of their "interstate" or "intrastate" character. The word "states" was here used in the societal sense to signify "the people of the states"; under the authority of the clause so construed it was expected that Congress could regulate all trade, including, for example, a private contract between A and B, both residents of

Virginia conducting their business there. The establishment of this plenary view of the commerce power occupies Mr. Crosskey for some 275 pages, and he pursues his prolix and leisurely course in a manner reminiscent of the novels of Anthony Trollope. No point is too small to spend ten pages or so expounding it, no stone is unturned, no sparrow falls unheeded. Pelion is piled on Ossa again and again. The net result is an absolutely staggering mass of evidence, much of which seems to support his interpretation, some of which *may* be consistent with his interpretation, and some of which flatly contradicts his interpretation and must be disposed of by elaborate argument. The author gives no ground; not a scintilla of evidence suggesting that some early statesman might have honestly cherished a contrary or a variant understanding of the clause is allowed to stand.

The "imports and exports," "*ex post facto*," and "contracts" clauses have also been completely perverted in post-ratification history. The purpose of the first was to restrain imposts or duties on commerce between states as well as on foreign commerce; the modern courts are forced to resort to the clumsy and unfounded fiction that the commerce clause of its own force restrains state action in order to accomplish that result. The *ex post facto* clauses were meant to prohibit all retrospective laws, either civil or criminal; and the contract clause was designed to prevent the states from impairing contracts, either retrospectively or prospectively. Since this interpretation of the contract clause would suggest that the states were practically helpless to pass laws at all on the subject of contracts, it follows, says Mr. Crosskey, that the power to legislate prospectively on the contracts field must have been delegated to Congress; thus he further corroborates the broad view of the commerce power already advanced. As with so many of the book's arguments, it is hard to emerge from this discussion without a feeling that the interpretation advanced is a plausible one. But the author is content with no such partial victory: he must insist that "there can be no doubt whatever" (p. 359) that these were the intended constructions. He will admit of no possibility that some of the words used in the Constitution may have lacked the certainty of intention that he finds in them and that the reasoning he employs may not have occurred to the framers. Since that reasoning has been advanced by no one except Mr. Crosskey in 150 years, it might seem just within the range of credence that the framers missed it as well. But there is no room for such an assumption in the edifice of absolute logic that is here constructed.

The restatement of the commerce clause and related provisions by no means completes the author's massacre of traditional federalist presuppositions. The Fathers, he tells us, also intended that Congress should have "general legislative power" enabling it to do the jobs that a sovereign nation might be called upon to do, without troubling itself with the question of specific delegation. The Preamble, which has been regarded as legally nugatory by orthodox judges, was meant to vest Congress with authority to take the action necessary to achieve the preambular objects, resolving any doubts and ambiguities that might be found in the Constitution proper. This becomes plain when we realize that under prevailing eighteenth-century principles of draftsmanship it was assumed that a general statement of purposes would endow the government concerned with full authority to accomplish those purposes, unless "strong words" in the body of the document qualified that authority. It is not merely possible that the Preamble was added to the Constitution with this end in mind; it is a "manifest certainty" (p. 375). In case there should remain any doubt, however, the intent of the framers to lodge general legislative power in Congress is further attested by the "necessary and proper" clause which, properly understood, re-emphasizes Congress' authority to carry out the preambular objects, and by the "general welfare" clause which in Mr. Crosskey's view clearly grants Congress the right to legislate at large for the welfare of the nation as a whole.

Finally, if there is *still* doubt in the mind of some almost pathologically skeptical reader, the judicial article of the Constitution contains more "oblique internal evidence" to support the plenary view of congressional power. For Article III, correctly read, vests the Supreme Court with the right of final decision "against the state courts as well as the national courts, and with respect, not only to questions of national constitutional statutory, and treaty law, but with respect to questions of state law and Common Law, as well" (p. 658). And since "Congress, like any other sovereign legislature, was authorized to make a complete set of 'rules of decision' for the guidance of its own courts" (p. 670), it follows that Congress was indirectly recognized, in Article III, as possessing "a complete and general legislative power" (p. 673).

The uninitiated might protest that the careful enumeration of congressional powers in Article I has always been thought to preclude the exercise of powers not listed and that the enumeration would have been pointless if the national legislature was assumed already to possess these powers and many more. But the author has an answer for that as he has indeed for most of the objections that come to mind when his thesis is first broached. In most instances, the specific powers were enumerated so as to indicate that they were vested in Congress and *not* in the executive; in other instances the point was to express special limitations on federal power (e.g., the uniformity requirement for naturalization statutes) or to make it indubitably clear that Congress possessed certain authority as against the states (e.g., the taxing power).

As for the Tenth Amendment, that supposed charter of states' rights, it does not in any way belie the ultranationalistic interpretation of Congress' powers; it was admitted even by Madison to be merely declaratory of a state of affairs that already existed, and that state of affairs was the unitary governmental system described in these volumes. The word "delegated" in the amendment does not mean "vested"; it means "vested exclusively," i.e., precluding the states from exercising a concurrent power over the subject; and "reserved" does not mean "retained" but is used to import that the powers in question were "new-created" and dependent for their existence entirely upon the Constitution. By this interpretation the amendment, far from asserting states' rights as against the national government's general power, is seen as *confirming* the view of national authority already advanced.

The foregoing construction of the Constitution (described quite properly by the publishers as "arresting") has been, the author argues, whittled away unpardonably by judicial construction which has been not only perverse but suicidal as well. The Supreme Court was meant to be a supreme judicial body in the full sense described above, but in a curious spirit of self-destruction it has abdicated its control over state courts; it has ignored the plain fact that the Constitution contemplated a national common law (*Erie Railway* v. *Tompkins* was "one of the most grossly unconstitutional governmental acts in the nation's entire history" [p. 916]); and "the Supreme Court of today . . . is without any conception at all of its own truly intended function as the supreme and general juridical head of the country" (p. 938). Moreover, the original limitations on the states, such as the contracts clause and the full faith and credit clause, have been systematically nullified, and the Bill of Rights, which was meant, except for the First Amendment and a part of the Seventh, to limit all governments (*Barron* v. *Baltimore* was "without any warrant at all" [p. 1056]) has been held inapplicable to the states. Lastly, the Fourteenth Amendment, which was designed to prevent the states from impairing the freedoms listed in the first eight amendments, has been distorted and tortured beyond all recognition. Meantime, in a perfect orgy of perversity, the Supreme Court has, without justification, claimed an authority that was *not* contemplated by the Constitution—the power of judicial review over acts of Congress. The result of these travesties has been a fictional Constitution without the slightest resemblance to the original model, ill-adapted to the necessities of modern government and productive of endless gratuitous encumbrances for both government and the individual.

Such then is the "true meaning" of the Constitution as Mr. Crosskey sees it, and such is the melancholy fate that has befallen the document as a result of politically inspired misinterpretations. A full-scale critique of this startling exegesis should be, one suspects, the work not of weeks but of years. The discussion is so intricately woven, the sources examined and the constitutional points covered are so numerous, that a definitive evaluation must probably be arrived at cumulatively as the author's data are carefully re-explored and his arguments scrupulously traced and weighed. That the book probably merits such respectful attention is a measure of its achievement, considering the radical unorthodoxy of the views propounded. No summary can provide more than an inkling of the volumes' qualities. The scholarship imbedded in these pages is nothing less than prodigious. The architecture of the analysis built on the original conception is genuinely impressive: it required not only a patient spirit but a creative intellect to fashion this monument of the scholar's art. Individually the arguments presented are often disarmingly ingenious (witness, for example, the reasoning in Chapter 30 which neatly turns upside down the old contention that the deliberate omission of the amendment specifically limiting the states proves that the Bill of Rights applies only to the national government); but beyond that they sometimes reveal a magisterial logical power which is exciting to behold. The style, though sometimes involved and prolix, is usually extremely effective, being infused throughout with the vitality and fire that a polemical intent so frequently engenders. Indignation and complete self-certainty may nettle the reader, but they may also bring a discussion alive. Forewarned by the author's thesis, one comes to these volumes prepared to scoff, but remains to praise.

Yet admiration should not be overdone, should not obscure the very serious questions that persist after all credit is given for a remarkable tour de force. In order to maintain his position, it is essential for Mr. Crosskey to call James Madison a liar, since in his journal of the Convention and elsewhere Madison is on record with a variant account of the Constitution's intent. And even if this harsh view of the heretofore-supposed father of the Constitution be acceptable to the reader, he may still grow impatient with the author's steady insistence that all early writers who found states' rights in the Constitution were deliberately mendacious, while all who expounded the Crosskey view were plainly sincere. The evidence of a states' rights intention which has traditionally been thought to exist in the antecedents of the Constitution and in the ratification controversy is here treated very sketchily, and full discussion is postponed until a later day when the remaining volumes in Mr. Crosskey's treatise are to be brought forth. Surely the author cannot be criticized for having produced only 1175 textual pages in this installment, and it is easy to believe that he is loading heavy artillery for the next stage of the campaign. But there is no denying that his postponement of these matters gets him out of several tight spots and therefore leaves important doubts in the reader's mind; and it would seem that some of the lengthy argumentation in these volumes could have been compressed to make room for this rather significant issue. Nor, disregarding such historical omissions, is the author's logic always quite so airtight and inevitable as he claims. If the commerce power was meant to be all-inclusive, it is hard to see why the intent was not expressed by simple phrase "to regulate commerce," with no qualifying language at all. If the *ex post facto* clause was designed to prohibit all retrospective laws, it is strange that the same sentence prohibits the retrospective impairment of contracts, especially since Mr. Crosskey constantly insists that nothing in the Constitution is to be taken as accidental or superfluous. And if the Fourteenth Amendment was meant to incorporate the Bill of Rights, it is odd—again in terms of the author's premise of strict logic—that the framers did not simply say so. This is not to deny that the author *may* be right about his interpretations, especially of the latter two clauses. But it is to deny that his conclusions as to intent are as indisputably evident on logical grounds as he proclaims.

For the trouble is that he does so proclaim them, and we are thus brought back to the question posed at the outset of this review. It is no news to the student of constitutional history that many phrases of the Constitution bear a tenuous relation to their judicial glosses of later years. Until now it has seemed reasonable to assume that some of these cloudy clauses *may* have had a specific aim which scholarship can discover, but that the ambiguity of others is to be explained partly in terms of a conscious intent to keep the meaning vague and leave the full definition to history and partly on the ground of imperfect draftsmanship. Now we are told, however, not only that every phrase has a precise and discoverable meaning, but that there can be no doubt whatever what those meanings are. The procrustean project is carried through with almost incredible singleness of purpose. But its uncompromising premises compel the author to promise more than he can possibly deliver and, worse, to insist that he has accomplished what he patently has not. The plausible interpretation must become the likely, and the likely must become the certain, to satisfy the self-imposed requirements of the enterprise. Every piece in the puzzle must be fitted snugly to every other, no matter what the strain. The framers must emerge as an assembly of supermen as rigorously logical as the judges after 1820 were fatuously irrational.

The question is whether such an approach is the right approach for this momentous undertaking, whether the understanding of history is best forwarded by these methods. Suppose, for example, that the author had adopted the premise that the document of 1787 was more nationalistic than has usually been believed without, however, assuming that it vested the national government with such a super-abundance of plenary power. Suppose he had admitted that some ambiguities defy analysis and that his interpretation of others, while plausible, might here and there be less than certain. Suppose he had argued that his interpretation explained much, but not necessarily all, and had poured the resources of his fine scholarship and impressive intellect into a defense of this more moderate claim. Would the cause of knowledge have been better or worse served? If the argument advanced in the second paragraph of this review is valid, then the answer is "worse"; but I beg leave to doubt it. The overstatement of a position may sometimes lead to the discovery of truth; but it is more likely, I believe, to compound error. If the position is brilliantly and powerfully set forth, as this one undoubtedly is, its overstatement tends to produce a polarization of hostile camps which war while the truth lies neglected on a no man's land between. It may well be questioned whether the misconceptions fostered by the dogged economic interpretation of American history flowing from Beard were counterbalanced by the insights so inspired. And it may well be felt that the decades spent flinging claims and counterclaims, postponed rather than hastened a full-dimensional analysis. Oscillation between untenable extremes is a peculiarly unlikely way to advance comprehension, however delightfully it may simplify the student's task. Mr. Crosskey's book with all its qualities seems calculated to generate just such an unhappy movement.

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The Taming of the Nations: A Study of the Cultural Bases of International Policy. BY F. S. C. NORTHROP. (New York: The Macmillan Company. 1952. Pp. xii, 362. $5.00.)

The World and the West. BY ARNOLD TOYNBEE. (New York and London: Oxford University Press. 1953. Pp. vi, 99. $2.00.)

Professor Northrop being a philosopher and jurist of distinction, his views on the problems of international life should be considered with respect. His present work is an attempt to discover a true basis for the determination of foreign policy. He dismisses national self-interest as a guide. There must be a new science of international relations. First "the character of at least the major individual nations must be determined," and then "a theory of the way to relate the nations can be attempted." Professor Northrop here discerns an analogy with the science of chemistry, in that "an objective sympathetic description and understanding of all the different kinds of chemical materials in the universe is obviously necessary for a chemical science," and "the same is true for any science of international relations which can pretend to be accurate." There is something rather alarming in such an analogy between one of the exact sciences and the new and not yet fully-established "sciences of cultural sociology, cultural anthropology and the philosophy of culture."

The first half of the book is devoted mainly to a description of the culture of the leading Asian countries. Following such authorities as Ehrlich and Sorokin, the author explains that "the normative inner order" of a given society is to be scientifically determined by the "meanings of philosophy held in common by the leaders and majority of its people." Once the normative inner order of each nation is specified, "then the relations between the different nations can be given with similar objectivity." He continues: "To achieve therefore a trustworthy guide for international policy in the contemporary world we shall need to do three things. First the normative inner order of beliefs and habits, which is the living law of each nation or cultural group in the world, must be specified. Second the relation between the normative ideology of each nation or cultural group and that [those?] of all other nations and cultural groups must be determined. . . . Having specified the normative living law of each individual nation or cultural group and having specified also the respective relations between the diverse national normative inner orders, the third task will be that of framing foreign policy and international law in the light of international living principles. Provided this is done, Ehrlich's criterion assures us that the results will be effective."

This piece of lawyer's prose, at first sight almost Euclidean in its logic, is really of a deceptive simplicity. But it will not deceive the cautious reader, who will ask himself whether it is anything more than a labored way of saying that to secure harmony between nations all you need is to know their essential characteristics and to harmonize them. Dr. Northrop would no doubt reply that hitherto we have thought only in terms of our own cultures and have not made an effort to understand other cultures. It is true that statesmen have not as a rule looked for scientific methods of determination. They have preferred empiric judgments, and though it may be argued that this is what accounts for the perils of international life we have no proof. Furthermore, the "inner orders" assumed in Dr. Northrop's analysis are surely not stable and uniform throughout any one nation. Nothing indeed is more patent than the rapid rate at which cultures are changing and the diversity of "normative inner orders" within single national groups. One of the greatest obstacles to international harmony today is perhaps the rapidity of change—social, economic, and ideological—in modern Asia. Dr. Northrop is of course aware of this difficulty, and points out that "normative principles must be kept continuously in contact with concrete facts." For this purpose he proceeds to analyze the main Asian and Western cultures in a dozen chapters. In these there is much of value—in their obiter dicta rather than in their train of reasoning; and the reviewer's task would be easy and pleasant if he could stop at quoting passages which he has found interesting or instructive. But since the author's thesis depends upon the validity of his method, some critical examination of his arguments is necessary.

For reasons of space it must suffice to take, as an example, his treatment of the broad differences between Asian and Western cultures. He begins with a discussion of "Gandhi's way to peace," and distinguishes a purely Asian "technique of peace," which is (he says) the ancient Bhagavadgita Hinduism with the ancient Aryan contribution of caste, property, and legal codes left out. It is a dependence upon a kind of Buddhist-Gita "middle way," attained by fostering "the all-embracing intuitively felt formlessness common to all men and things." This technique of peace, he affirms, is not peculiar to Gandhi's India. It is the way of early Confucian China and of Buddhist Ceylon. "It is the spiritual source of the unity of the non-Aryan, non-western, Buddhist-Gita, Taoist, Confucian Asia."

Really this gallimaufry is difficult to swallow. Everybody knows that there are very great differences, even stark contradictions, between Asian cultures in general and Western cultures in general. But such a loose assumption as that just quoted is not the kind of thing we expect from a prominent scholar. Nor is it given any support by the dictum "Asia is One," which was an item of deliberate Pan-Asian political propaganda in a work by Okakura Kakuzo (not "Kakasu"), with a preface not, as stated, by the "Hindu Swami Nevedita," but by an Englishwoman, Sister Nivedita.

Asian unity, insofar as it exists, is not a cultural unity. Asians are united only in not being Western. For the present there is a certain unanimity among Asian peoples in their attitude to the West, but even that is a concomitant of political nationalism, and not of identity of thought and feeling about life and society. The cultural differences among them are greater than those that separate Western cultures, which for the most part are rooted in the same soil.

In his chapter entitled "Asian Resurgence and Western Ways," the author discusses the difficulty of combining "a resurgent Asian culture with Western political and economic ways." This is an important question, and Dr. Northrop properly attempts to throw light upon it by discovering some general principle which will account for the "basic contrast" between the two ways of thought. He takes for examination the failure of Chiang Kai-shek to establish a viable modern state. Relying largely upon the writings of Chiang Monlin, he concludes that it was due to a fundamental incompatibility between the "Asian way of knowing nature," which is intuitive, and the Western way, which is intellectual. Chiang Monlin talks of knowledge which is the fruit of "naive observation," something given by immediate personal experience; and Dr. Northrop adopts this terminology, while emphasizing the Western dependence upon deductively formulated abstract theory.

Obviously there is some truth in these statements, but it is very doubtful whether they furnish a satisfactory explanation of the predominance of science and technology in the Western world. It seems to be the fashion nowadays to make this hard and fast distinction between West and East. But it is a dangerous kind of generalization. Historically it is difficult to defend, since Chinese thought, as shown by the early existence of a great store of knowledge dependent upon exact observation and deduction, can by no means be described as merely intuitive and unsystematic. It is true that, despite really important technological achievements, Chinese theory and practice remained at an empirical level and did not develop into the modern science of post-Renaissance Europe. What the inhibiting factors were is not certain, but it is probable that they resided in the organization of Chinese society. It might be objected that the organization of Chinese society depended upon the Chinese habit of mind; but that is too simple. Neither environment nor habit is constant, nor do they bear to one another a pure relation of cause and effect.

Despite its shortcomings, which include a heavy and at times barely intelligible style, Dr. Northrop's book deserves careful attention. He wants the things that all good, sensible men want, and he has devoted much thought and labor to his subject. But he cannot be said to have found a useful prescription for the taming of the nations. His argument breaks down because of the doubtful nature of his premises. Candor also compels the observation that his judgment falls under suspicion in the light of such lapses as his reproachful references to Mr. Toynbee, whose view of world history may be mistaken, but who is the last person one should accuse of professing the "ethics of power." Like all thoughtful men, Mr. Toynbee recognizes the grim reality of power as a factor in world politics. He does not like it any more than Dr. Northrop does, but he is aware that it is an important element in human affairs, probably more important and more decisive than those "normative inner orders" that Dr. Northrop so sedulously defines and classifies.

Covering less ground than Dr. Northrop's copious work, Mr. Toynbee's small book, *The World and the West*, is a precise and unpretentious piece of historical analysis. Its six short chapters (based upon lectures) trace the relationship between the West and other parts of the world. He asks the Western reader to step out of his native Western skin and look at the encounter between "the World" and "the West" through the eyes of the "great non-Western majority of mankind." Different though the non-Western peoples may be from one another, he will hear them all giving him the same answer. "The West, they will tell him, has been the arch aggressor of modern times, and each will have their own experience of Western aggression to bring up against him. The Russians will remind him that their country has been invaded by Western armies over-land in 1941, 1915, 1812, 1709 and 1610. The peoples of Africa and Asia will remind him that Western missionaries and traders and soldiers have been pushing into their countries from the coasts since the 15th century."

Mr. Toynbee then recounts in fuller detail the Russian experience, and points out that Peter the Great is the archetype of the "westernizing" reformer who has in the last two or three centuries saved the world from falling entirely under Western domination by forcing the world to train itself to resist aggression by Western weapons. Islam and the West, India and the West, the Far East and the West are treated in subsequent chapters, and the story is rounded off by an examination of the pains and hazards that have everywhere attended the introduction of Western ideas and methods into Eastern societies. It is because he is aware of these difficulties that Dr. Northrop searches for some means of reconciling disparate cultures. But to judge from the recent past the world is not seeking reconciliation with the West. It wants to meet the West on its own terms but with the weapons of the West; and a very simple explanation of the international tension of today is that the West, having dominated the world for centuries, has now—partly through internal strife—lost its relative supremacy of power and thus given the world the desire and the opportunity to turn the tables. The conflict of ideologies supplies a useful rallying cry to urge on the peoples, but it is not the sole or the true cause of the struggle. It is considerations of power and pride that play the leading part.

Mr. Toynbee himself does not make this point. He concludes his survey with a chapter devoted to speculation. He recalls the historic parallel of the ancient world and its Graeco-Roman rulers. He suggests that, as the rise of new religions and the idea of human fraternity were favored in the second century by the very weariness of the clash of cultures, so something like the historic dénouement of the Graeco-Roman story will perhaps be written into the unfinished story of the world's encounter with the West. It may be so.

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Democracy and the Party Movement in Prewar Japan: The Failure of the First Attempt. By Robert A. Scalapino. (Berkeley: University of California Press. 1953. Pp. xii, 471. $6.50.)

With Japan expected to play an increasingly important role in the free world's fight against Communist aggression, interest in Japanese affairs is mounting. Professor Scalapino's study, which treats comprehensively of the historical development of political parties from their beginnings in the 1870's to the year 1932, is a timely contribution to the understanding of Japanese politics. The volume is the first of its kind in a Western language involving a rather extensive use of Japanese language materials. It is a convincing proof of the fact that for American scholars with command of the language, the field of Far Eastern politics is an underdeveloped area with rich rewards.

As regards the thesis of the work, one may well raise the question: Can a movement be judged a failure if it does not achieve what it never set out to do? Implicit in the title of the volume is the equating of democracy with the party movement. In supporting the thesis that "the first attempt at democracy" was a failure, Professor Scalapino takes the position that the Japanese party movement had democracy as its clear and avowed goal.

In origin, growth, and nature, the party movement was an extension of the nationalist-royalist movement of the Meiji Restoration of 1868. Although overshadowed by the relentless struggle for power by those who had broken away from the ruling oligarchy over issues of national policy, it was a patriotic movement. Democracy was never even remotely the goal of any of the party leaders, not even Itagaki, the founder of the Liberal party and advocate of liberty and popular rights. The political parties and the ruling oligarchy, despite their political antipathy, were united in their conviction that the most urgent goal was the speedy building up of a strong Japan to insure national independence and security. What actually did take place in Japan was modernization propelled by the "omnipresent force of nationalism, which rushed like an angry torrent throughout the whole of Japanese society. . . . The fierce determination to create unity out of conflict, stability out of tension, and build a state which could secure recognition and respect was firmly implanted and encouraged by every resource at the command of the state" (p. 273). Since liberalism was adopted in Japan not in consequence of the convictions, needs, or demands of the people, it served as no more than one of the means, like many of the borrowings from the West, for convincing the Western powers of Japan's readiness to be treated as an equal. It was a mutation with only the form of Western liberalism. It was ever subservient to the state and its aims, and completely devoid of elements of individualism or the dignity of the individual.

The first attempt at democracy was not made until after the surrender in 1945 under Allied military occupation. But with all the help that has and will be given Japan, democracy will be a slow growth at best and will follow a distinct course of development because, as the author emphasizes, there was nothing in modern Japan "which would help to make democratic principles meaningful to the society and effective" (p. 291) and "Western style democracy is the product of an earlier evolution which cannot possibly be duplicated in the modern world" (pp. 397–98).

Despite the forced thesis, *Democracy and the Party Movement in Prewar Japan* is a substantial piece of work reflecting the author's familiarity with the subject matter. "The Development of Japanese Capitalism and Its Impact on the Party Movement" (Chap. VII) is, in this reviewer's opinion, the most substantial and rewarding part of the book and contains a number of valuable insights into the nature and development of political parties. An accurate knowledge of the workings of the Japanese political system is not possible without an understanding of the character and development of capitalism. The author provides some of this background information.

The accuracy of some of the assertions will be questioned by students of Japanese history: Kita Ikki is termed "the closest approximation to a Western

Fascist leader" (p. 354, n. 9); Kaneko Kentaro is described as "a leader among the oligarchy" (p. 75); and the statement is made that the tenant peasants "had once shared in the honor of all members of the agrarian class" (p. 102). Some slips in translation and transliteration as well as characters occur: *hijo kikyoku* (p. 289) should read *hijo jikyoku; kajin hoken seido* (p. 407) should be *kenin hoken seido; naichi* is rendered as "home province" (p. 411) instead of "Japan proper"; *shizoku* is translated as "nobility" (p. 416) instead of "gentry" or "samurai class"; *sosai* is rendered as "officer of supreme council" (p. 416) instead of "head," "leader" or "president"; and Okuda is rendered as Onda (p. 412) and Arisugawa given as Sugawa (p. 401). Most of these are minor points which do not detract from the value of the work as a whole. A less liberal use of Japanese terms throughout the work, however, might have added considerably to the comprehension of the nonspecialist reader.

CHITOSHI YANAGA.

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The Third Force in China. BY CARSUN CHANG. (New York: Bookman Associates. 1952. Pp. 345. $4.50.)

The Third Force in China is the body of opinion which sincerely strove to set up democratic institutions in Republican China, and which still looks upon the rival authoritarian systems of Mao Tse-tung and Chiang Kai-shek with equal disfavor. Dr. Chang, founder and leader of the Democratic Socialist party, is better qualified than any other Chinese statesman to put forward the point of view of the Chinese democrats, and has in this book not only traced in detail the story of their struggle to liberalize the Nationalist regime, but also, by implication, revealed the cause of their failure.

The democrats had the support of the educated class in China, and the goodwill of China's foreign friends, including General Marshall. But they did not have, at any time, the support of armed force or the goodwill of any important military commander. Their views were consequently ignored both by Chiang Kai-shek and by the Communists. Their political parties were proscribed by the Nationalists and their members imprisoned; now they are either "absorbed" by the Communist regime, or must operate from exile. The author has contributed important facts to our knowledge of the crucial years after the war in which the Nationalist regime went down in defeat. His own part in the negotiations which failed to bring Nationalists and Communists to terms reveals very clearly the underlying factors which frustrated all such efforts. It was not merely the fact that both Nationalist and Communist leaders mutually distrusted each other and had no common program in which both sides believed; it was still more the intractable fact that both parties rested on military power, counted their strength in divisions and not in votes, and refused to yield these solid bases of support for shadowy constitutional rights.

The democrats, such as the author himself, constantly sought to create a constitution which would operate in a legal democratic way, in the belief that such an instrument could control and reduce the tensions between opposed parties. But in fact such a constitutional political life can only flourish after the extreme tensions between opposed factions have been settled by military force, and the resort to force is no longer equally open to both sides. America had to have both her War of Independence and her Civil War before democracy could operate successfully; British constitutional politics date from the Revolution of 1688—an act of force. Moreover, in these cases one side at least believed in and hoped to establish democratic government; in China neither of the main opposing parties had any such belief or any such intention.

It is natural that Dr. Chang should not always be willing to acknowledge these painful facts, and his unwillingness to do so leads him to find an explanation for China's present situation in secondary causes. His criticism of American postwar policy in China amounts to the charge that the U. S. failed to do in China what Britain had done in Greece at much the same period. Britain was able to secure and reestablish constitutional democracy in Greece because she had the force available both to defend the government against Communist uprisings and to compel the King to restore democratic rule as the price of British support. But Greece is small and China is vast; the scale of the necessary American intervention would have far exceeded the modest forces Britain employed in Greece, and the transformation of the Nationalist government which would have been necessary if popular support was to be won back from the Communists would have been indeed profound. It is also very much to be doubted whether Chinese patriots of any political persuasion would have relished this degree of foreign control and intervention; whether in fact any such attempt would not have played directly into Communist hands by rallying national support to their side.

Dr. Chang regards the Communist's domination of Manchuria as the key to their success and the principal cause of the fall of the Kuomintang. He believes that this situation was planned in advance by the Russians and that only American intervention in Manchuria could have frustrated these long prepared designs. This ignores too many other factors and oversimplifies the course of events in Manchuria. Chiang Kai-shek lost the war mainly because of the failure of morale among his armies and the withdrawal of popular support from his regime. The decisive battles of the civil war were won and lost inside the Wall, not in Manchuria. Moreover, the Russian policy in Manchuria after the Japanese surrender was ambiguous. The rapid stripping and ruin of the Japanese industrial installations in Manchuria was not the best way of ensuring the triumph of the Chinese Communists; it would have been just as easy for Russia to hand over Manchuria to them intact. Russia did not at first permit the Yenan commanded Communists to enter Manchuria, though she placed no obstacles in the way of the local guerrillas seizing Japanese arms dumps. Russian policy, like our own, shows more evidence of hesitation and improvisation than of long term cool calculation.

Many will hope that Dr. Chang's estimate of the strength of democratic feeling in China is correct and that the ultimate future of the Chinese Revolution lies in constitutional government, but we should be unwise to expect such a development now or to place any hopes in parties which have once failed. The Chinese have no romantic attachment to lost causes and do not seek for restorations.

C. P. FitzGerald.

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A Century of Conflict: Communist Techniques of World Revolution. By Stefan T. Possony. (Chicago: Henry Regnery Company. 1953. Pp. xx, 439. $7.50.)

At a time when comfortable illusions about the Soviet Union are again gaining strength in the West, Dr. Possony's analysis of "the nature of the beast" (p.x) is most welcome. He performs a great service in presenting a comprehensive and, I believe, essentially correct picture of the "doctrine of conflict management," the "operational know-how" of communist leaderships.

Particularly, he shows the high and increasing role attributed to violence, and especially war, in the Bolshevik operational code. Both intellectually and politically, Dr. Possony's points in this area are of great importance.

Finding myself in broad agreement with the author, I shall indicate some of the special points about which questions might be raised. (All italics in quotations are by the reviewer.)

1. The author does not always conform to scientific method. Thus he believes that "it is worth recording that, *according to a most knowledgeable German source* 'during the depression years German industry was kept afloat largely because it received substantial orders from the Russians,' especially [sic] gold and raw materials" (p. 204). The matter seems to call either for an analysis of the relevant German figures for 1929–1932 by Dr. Possony himself, or for a quotation from a published analysis by a named reputable economist. Again, Dr. Possony seems to be rather certain that he knows the approximate incidence of various kinds of sanctions imposed in France after the liberation of persons alleged to have been "collaborationists." Yet his certainty is not based on a full study of this contentious and obscure matter either by himself or by another reputable scholar. He simply accepts the figures (which of course may be true) of one partisan French source, without describing its affiliations or examining the various arguments which would affect (favorably or unfavorably) a scientist's estimate of its reliability (pp. 288–89). The author accepts (pp. 279–81) in a similar way the genuineness of purported instructions sent by the executive committee of the Comintern to the Yugoslav party on May 9, 1941. (He gives as his sources Stephen Clissold's *Whirlwind* and Leigh White's *Balkan Caesar.*) If there were space, I could give a number of grounds for my belief that the document is a gross forgery. Another illustration of this type of methodological shortcoming is his arriving at the certainty that a "German-Bolshevik conspiracy" existed between 1914 and 1918 (pp. 42–48). Given the state of the sources, chiefly the so-called Sisson documents, any certainty on the matter is probably impossible; to arrive even at the assessment of probabilities a lengthy critical analysis would have to be executed, and this the author does not attempt.

At various points Dr. Possony makes unusual statements for which he offers no evidence. Thus he affirms that the technique of the so-called expropriations was "invented" by Stalin (p. 12); that in the fall of 1917, when Lenin from his hiding place in Finland called for an immediate seizure of power, his "ideas were received skeptically by the comrades at Petrograd who apparently thought that Lenin was willing to risk his followers while hiding in safety himself" (p. 60); that, in Bolshevik political tactics, "if simple deception cannot be relied upon, double deception must be resorted to. One actually must carry out what one appears to be doing, on the theory that the enemy will assume that one does something else" (pp. 380–81); that "it is within the capabilities of . . . Western policy to transform the iron curtain into a straw mat" (p. 422).

2. While Dr. Possony refers to many details of history which are not objects of contention among specialists, his statements are not always correct. He implies that Maxim Gorky's role at the Capri school was comparable to Lenin's at Longjumeau (p. 118). He speaks of the "decisive link" as "Stalin's concept" (p. 185). He implies that it was the fifth congress of the Comintern in 1924 which was particularly and favorably concerned with the idea of a "workers' government." After citing Nikolayevsky's excellent book about Azev, he maintains that this agent provocateur "operated against the Bolsheviks" (p. 222). He affirms that those who voted for the Mensheviks and the right Social-Revolutionaries in the Russian elections of 1917 "may have had tactical differences with the Bolsheviks, but there was no difference in principle" (pp. 29–30). The truth of this sentence seems to depend on the meaning one decides to give to the ambiguous term "principle." If attitudes towards democracy (in the Western sense) involve "principles," the statement does not seem to be correct. According to the author, "in communist terminology the word 'peace' . . . can denote the non-conflict type of political relationship in a classless society; but whenever the term carries this meaning in communist writings, it is spelled out clearly" (p. 413). Actually, the standard Bolshevik description of "communism" does not contain the term "peace" which is to high-level communists entirely exoteric. (This, by the way, strengthens Dr. Possony's main argument in the matter.)

3. Dr. Possony's interpretations of Bolshevik doctrine are sometimes open to question. Discussing the Comintern congress of 1935, Dr. Possony says that "Dimitrov and his associates hoped that a revolutionary movement could be built on the exploitation of local and temporary grievances without the emergence of an over-all political consciousness. . . . Such a hope was in contrast to the basic tenets of Leninism and Stalinism" (pp. 212–13). But the reduction of the role attributed to the "consciousness" of the "masses" is one of the main trends of Bolshevism—as the author himself implies when he says that "communists gain popular support not through pushing their own platform, but by espousing non-communist ideas" (p. viii).

Repeatedly (cf. pp. 60, 176–77, 214, 417) Dr. Possony presents what he affirms to be typical communist policy calculations as divided into a "thesis," "antithesis" (or "double antithesis") and "synthesis." As he points out, he introduces in these instances "a type of dialectics which will probably amaze the college professors teaching Hegel and Marx." He adds: "Yet this is how abstract philosophy can be applied in practice." I believe that this particular practice is entirely Dr. Possony's. He offers no evidence to show that "communists draw up their operational plans according to the dialectic scheme" as he presents it—unless all that is involved is the intent simultaneously to strengthen the party and to weaken the enemy (cf. pp. 176–77). But in this case, again, there is no evidence that communists believe they are applying "dialectics" when they are engaging in this nondistinctive mode of planning.

4. In his eagerness to establish certain points the author does not entirely avoid questionable reasoning. In trying to show that the favorable relations between Berlin and Moscow in 1939–1940 were related to earlier manifestations of "the German-Bolshevik conspiracy," he writes: "The fact . . . that Stalin helped Hitler . . . *can be explained logically only* if it is assumed . . . that the Soviets considered the Western powers their most dangerous opponents." "Logically," there are other possibilities: viewing the Nazis as "their most dangerous opponents," the Soviets may have wanted to deflect the Nazis' expansion towards the West, etc. Also, according to Dr. Possony, "Stalin's alliance with Germany . . . is easy enough to understand unless the tenuous ideological differences between nazism and communism are overstressed" (pp. 253–54). What is important here, however, is not whether these differences are "tenuous" to Western antitotalitarians, but to the communist leaders themselves; and on this point Dr. Possony offers no satisfactory evidence.

5. Dr. Possony tends to exaggerate the intellectual level of communist doctrine—a level which has never been high and has been steadily sinking. According to the author "communist techniques of expansion" are "based upon elaborate studies in the humanities and social sciences" (p. v). What are these studies? Also Stalin "has written *many* professional papers on [military] strategy and tactics" (p. 247). Again, what are these papers? In addition, "he is intimately familiar with morale problems." As shown by what subtle analysis of the subjective aspects of war?

6. The influence of Clausewitz on Lenin is exaggerated: "Sometimes between 1913 and 1915 Lenin studied the works of Karl von Clausewitz. . . . Marx gave Lenin . . . a method of analyzing political situations. Clausewitz taught the bolsheviks the secret of operations" (p. 20). However, many of the specifically Bolshevik proclivities in operations had been expressed, in word and act, before 1913.

7. The author pays perhaps too little attention to differentiations of the Bolshevik operational code according to techniques and situations. Thus it may well be that in war it may seem to Bolsheviks "advisable to feign a retreat to lure the enemy into an ill-considered advance" (p. 395). But in situations where violence is not the major device used Bolsheviks are rather adverse to this procedure.

8. Dr. Possony tends to exaggerate the skill which the leadership of the Soviet Union has shown in its external relations. He does not analyze the signifi-

cance of the fact that Moscow did not perceive the imminence of a German attack in the spring of 1941. A ruling group whose major obsession, for two decades, had been an annihilatory attack from without, had throughout the years mistakenly pointed to its imminence. When it finally came, that ruling group was tactically unprepared. Nor does Dr. Possony give an account of the disasters (for Moscow) of the first four months of war. In his conclusion he recalls that "they [the Soviets] escaped destruction only by the skin of their teeth," but in his brief account of 1941–1942 he merely points out that "although the Soviets seemed pleased with their successes aginst Hitler's blitzkrieg, on close analysis they appear less impressive. . . . Hitler risked attacking the Soviet Union with a relatively weak air force and . . . against a four-fold Russian tank superiority" (p. 255). Dr. Possony mentions figures for German losses in 1941 (p. 256), but, as far as I could discover, he does not indicate his estimates of the damage inflicted on the Soviet forces.

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Conscription of Conscience: The American State and the Conscientious Objector, 1940–1947. BY MULFORD Q. SIBLEY and PHILIP E. JACOB. (Ithaca: Cornell University Press. 1952. Pp. x, 580. $6.50.)

This book is an invaluable addition to the literature of American civil liberty. Written by two young political scientists, it should command the close interest and deep respect of all their colleagues, for it is a book in which the political science profession can take great pride. Long, filled with great detail, but always carefully organized and interestingly written, the book tells in exceedingly impressive and authoritative fashion the story of American conscientious objection to military service in World War II. The authors have undertaken their research and reported their findings with seeming accuracy and completeness, with understanding of and sympathy for the conscientious objector, but also with dispassion, balance, and perspective. For this reviewer, at least, no recent work by a political scientist comes any closer to an ideal expression and realization of the interests and talents of our particular discipline. The complexity and profundity of the political problem here under observation, the mountain of data accumulated, and the varied and sophisticated insights of its pages give this book a high value, indeed, for all students of the political process.

No brief review can possibly indicate the scope or excellence of this volume. For one thing, it is a study both of policy making and of administration, and of very great interest in both respects. In Parts 1 and 2, the authors define the problem of conscientious objection in the modern state, giving it historical depth and philosophic perspective, and describe the making of the American policy of World War II. This policy was essentially one of extending objector status to members of organized religious groups whose creeds included objection to war. Such status extended only to those who were opposed to combatant service with the armed forces; it did not extend to those who opposed noncombatant service under civilian auspices (the "absolutists"), and it did not extend to those whose pacifism had philosophic rather than religious origins. This policy, in the authors' opinion, was an improvement over World War I policy, but it had obvious and serious deficiencies, and was, for example, far less enlightened and sophisticated than British policy.

Part 2 also describes the experience of those objectors who elected the first of three alternatives open to them, noncombatant service within the armed forces. Parts 3 and 4 are concerned with the other alternatives: civilian service under private or governmental (but non-military) auspices; and prosecution and imprisonment for the "absolutists" and also for those men whose claims to other classifications were rejected by draft authorities. Thousands of Jehovah's Witnesses were prosecuted when their claims to IV-D status as ministers of the gospel were rejected. Treatment of the Jehovah's Witnesses was undoubtedly the greatest single failure of the conscientious objector program.

Roughly half of the book deals with the second alternative, for this was the new and important "experiment in tolerance" in our World War II conscription policy. The agency that administered this experimental program, the Civilian Public Service, had a "trinity of participants"—Selective Service, the "Historic Peace Churches" (Mennonites, Brethren, and Friends), and the conscientious objectors. While never meeting with complete failure, the CPS venture steadily deteriorated as the war progressed and was on the verge of collapse as the war ended. "What began as an experiment in tolerance ultimately demonstrated in unmistakable terms the deep and inherent contradiction between the American demand for national security and the claims of individuals for personal liberty of conscience" (p. 11). Selective Service and its director, General Hershey, must share major responsibility for this disappointing result, in the authors' judgment. Lack of understanding of the moral and human forces involved in conscientious objection to war and military service, and administrative inflexibility in adjusting to the realities of the situation, were two of Selective Service's shortcomings. But Sibley and Jacob find no single villian in this story of frustration and intolerance. Blame enough there was for all participants. Congress erred in providing only an original half measure in the way of a humane, sensible statement of policy. Presidents Roosevelt and Truman both reacted to the basic problem of conscientious objection with pettiness and truculence and their executive orders reflected this attitude. American public opinion at best tolerated the claims of the conscientious objector by the narrowest of margins, and was frequently indifferent to the civil liberty aspect of the problem, thereby permitting "pockets of influential opinion predisposed to view the objector as an unpatriotic slacker" to influence and control policy making and administration. The Historic Peace Churches made many serious errors in their handling of the problem and were perhaps basically unprepared and ill-equipped to accept the heavy burden of administering the Civilian Public Service camps. (In a challenging and honest passage Sibley and Jacob state their own separate and conflicting answers to the question whether the churches "betrayed religious liberty" by collaborating with Selective Service in administering the program.) Even the objectors, themselves, are recognized by the authors to have been considerably less than heroes in their own tragic drama.

As a definitive account of American handling and mishandling of a wartime civil liberties problem this volume should find its place on the political scientist's shelf next to Morton Grodzins' admirable analysis of the Japanese-American evacuation program, *Americans Betrayed*. As a profound and compassionate account of the mind and role of the nonconformist in modern society, it fully earns a high place in the Thoreau tradition.

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Why Democracy? BY ALF ROSS. TRANSLATED BY DAVID GATLEY-PHILIP. (Cambridge, Mass.: Harvard University Press. 1952. Pp. viii, 249. $4.50.)

The author of this book is Professor of Public Law in the University of Copenhagen, and the book itself was born out of the Nazi occupation of Denmark. This experience, he says, made him conscious, as never before, of the meaning and value of democracy, and of liberty. In specific political belief, he is a Social Democrat, a democratic socialist, but a democrat first and last. If socialism is shown to be incompatible with democracy, that is the end of socialism for him.

Publishing originally in Danish, he sought translation into English in the hope of showing American readers "that the ideas and aspirations which form the American way of life are in essence the same as those which inspire the West European democracies," and to help the American public to understand that the Social Democrats, in the smaller European democracies at any rate, are more democratic than socialistic.

Whatever may be true of his fellows, there can be no doubt of Mr. Ross's close affinity, one might almost say identification, with the essentials of democratic thought in North America. He would acclimatize overnight. Some of the essentials of his position can best be put negatively. He is not a democrat after Rousseau; he does not believe in a mystical will of the people. Nor does he believe in the possibility of any scientific demonstration of values to which men ought to be compelled to conform. He thus escapes entirely the virus of what has been called totalitarian democracy. He does not believe "that a straightforward common goal [can] be set for all social endeavour. 'The common good,' 'the general interest' . . . are only labels people stick on what they regard at the time as right and reasonable." Even if a certain common final goal, such as the greatest happiness of the greatest number, is generally professed, it is a mistake to believe that "it should be possible to prove rationally which is the right way to reach it."

For him, rational absolutes in social matters are out. "All orthodoxy, including the Communist, presupposes a belief in revelation" and "Every canonization . . . leads to stagnation and decay." Nevertheless, he knows what he will fight for: the dignity of man and the freedom of the human spirit. These values, derived from the Christian and humanistic traditions, are, he profoundly believes, the foundation of Western civilization. Democracy is to him essentially a set of procedures, a method—indeed, the only method—of defending and furthering these values.

"Democracy is a form of government for mature and grown-up peoples who demand that their fate be in their own hands." Free, autonomous, human personality cannot exist, let alone flourish, except where men are conscious of being able to participate in shaping the resolutions that inevitably regulate life in society. Because, in this shaping, men cannot expect a rational demonstration of a single common goal on which all agree, the only course that avoids the indignity of force and violence, "spiritual mutilation," "systematic stunting of spiritual personality" (witness the Nazi occupation), is to enter into discussion and debate for the purpose of reaching a compromise.

"The essential value of discussion lies not in its being a way to truth through the combining of arguments, but in its being a way to compromise, by causing wills to yield to one another." "I prefer an actually worse world to a better one that can be maintained only through oppression, dictation, and force." "The essence of the spirit of compromise is connected with respect for the autonomy of others." It is only where men are genuinely moved by tolerance, mutual understanding, and "belief in some common humanity which unites and is stronger than the particular that divides," that they can live together in peace. How far they can collectivize and rule their life together through politics and government depends on the strength, pervasiveness, and comprehensiveness of the common basis of faith and ideals. (It may well be that a few million Danes, sharing an age-long tradition, may be able to go further in this direction than can a heterogeneous continental society of one hundred and fifty millions.)

Apart from fresh ways of putting it and a strong impression of intense conviction born of experience, there is nothing utterly new about this analysis, but it does certify Mr. Ross as a democrat who has the heart of the matter in him. However, beyond this he is an extraordinarily clear-headed and fair-minded democrat. Democracy, he keeps insisting, is a form of government, a method for regulating the common life of a community. It does not prescribe any particular social or economic structure. For it to work, and to go on working, it must ensure certain specific individual freedoms—the franchise, freedom of thought and expression, and freedom of the person. Apart from these, it has no necessary connection with traditional economic liberalism, or with socialism. "It no more sanctions free enterprise than it guarantees freedom from want. The latter is a goal of socialism, not of democracy." He rejects "economic democracy" as a phrase to which no precise meaning can be given. While democracy, *as a political method*, requires specific freedoms it has no necessary connection with social and economic equality beyond the obvious one that persistence of gross social inequalities may break down the community consensus on which democracy always depends. Of all forms of government, it alone must secure general acceptance in the community.

This, of course, is mainly a formal clarification which enables us to see the real issues. The author admits, indeed he insists, that democracy works more easily under a liberal economy because the economic struggle is in considerable measure kept out of politics. The advance toward socialism means that this struggle gets into politics and sharpens the conflict while at the same time demanding a much wider measure of political agreement. Issues of economic efficiency aside, the central political issue of socialism is the maintaining of the general consensus of the community and the taking of endless political decisions through compromise and majority vote. And the one reacts on the other.

When Mr. Ross comes, in the later part of the book, to discuss specifically the question of the compatibility of democracy and socialism, it is not too clear what he means by socialism, as indeed it could scarcely be within the confines of a short book. He insists that Social Democrats are not now pushing for "total, centralized state socialism," but rather envisage some kind of mixed economy which he does not outline in detail beyond saying that economic decision in his planned economy would be extensively decentralized and that consumers' choice would be maintained through the price mechanism. In this way, he hopes to maintain scope for "considerable initiative and autonomy" (which he recognizes as vital) and to prevent dangerous concentrations of power. Given these conditions, he thinks the essential planning of economic life can be fixed through the democratic processes of discussion and compromise. He brings to his support the fact that the democracies carried through extensive planning for the purposes of total war without destroying democracy.

It may be countered that it is much easier to get agreement for the limited, temporary, overriding aim of winning a war than for permanent peacetime purposes when everyone hopes to enjoy the fuller freedom for which the war was fought. Generally speaking, the author admits this, holding that the new economic order he hopes for has not been realized anywhere, and that discussion is necessarily abstract and speculative. He allows that thinking on these matters, on his side as well as on the other side, may be strongly influenced by "wish-determined preconceptions."

To the reviewer, the author's arguments, as applied to North American conditions, do not improve the plausibility of democratic socialism. As noted above, the problem may be simpler in small homogeneous countries like Denmark. But beyond this, Mr. Ross is strongly disposed to dismiss the case for free enterprise on the ground that genuinely free enterprise is outmoded by the tendency to large scale production and by certain changes in psychological attitudes. To him, deliberate planning is now inevitable, and if it is not public, it will be private. Private planning simply will not be accepted by the community as a whole. The ideology which sanctioned the role of private ownership in economic processes has broken down because it is no longer believed that these private decisions perform an effective function in the life of society. In short, the exercise of social power by the controllers of private property has been discredited. It follows that the community consensus necessary for democracy cannot now be maintained on the basis of the exercise of such power.

Whether or not this judgment is correct, the author has brought us again to the nub of the question. To get government by consent, the exercise of decisive power, economic as well as political, must be widely believed to be legitimate. The reviewer thinks Mr. Ross may well have put his finger on the main cause of the social instability of Western Europe. What he says may be entirely correct in application to Europe and quite wrong in application to North America. At any rate he goes far with his professed purpose of explaining why Social Democrats in Europe think as they do.

Attention here has been focused on the main theme of the book. It has not been possible to comment on many other points of excellence in it. For example, there is a splendid chapter in which the author takes up the case made against democracy point by point and refreshes the faith of those who hold that democracy is the indispensable political buttress of human dignity. In its fair-minded integrity and its cool penetration, this volume is a very important addition to the literature on the main political issues of our time. As the quotations show, the translator has served the author and his readers with distinction through his clear, flexible, idiomatic English.

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Harold Laski (1893–1950): A Biographical Memoir. BY KINGSLEY MARTIN. (New York: The Viking Press. 1953. Pp. x, 278. $4.00.)

Kingsley Martin, editor of *The New Statesman and Nation,* aided by his colleague, Norman MacKenzie, has skillfully fashioned a striking portrait of his friend, the late Harold Laski, as well as a warm tribute to his many virtues.

The book is not a full biography and it presents no systematic discussion of Laski's writings. Mr. Martin has selected a number of incidents from the various periods of Laski's life—his childhood in Manchester, the Oxford years, the period of teaching in North America from 1914 to 1920, his career at the London School of Economics, his work in the Labor party, the agitation over Spain and the Popular Front in the late 1930's, the war years, the great victory of Labor in the 1945 election, and the tragedy of Laski's unsuccessful libel action in 1946.

In part, Mr. Martin draws upon his own recollections and upon material supplied by Laski's friends in order to describe the events in which Laski played a part and his reactions to them. More often, however, he lets Laski himself tell the story by giving extensive quotations from his correspondence. Most of these quotations come from the letters to Felix Frankfurter, who was for over thirty years Laski's most intimate friend. Reading excerpts from these letters makes one wish that this correspondence had been published in full, rather than the Holmes-Laski letters. Apart from these letters, one of the most fascinating sections of the book is that in which Mr. Martin gives a summary of and quotations from an unpublished manuscript, *The Chosen People,* an essay on the Jewish problem which Laski wrote before he was twenty years old.

The Laski that emerges from the pages of this volume is a man of extraordinary capabilities as a scholar and a writer; unfortunately, however, these potentialities were never fully realized. It is also clear that he was an inspiring teacher, a devoted friend and colleague, and a man who willingly spent his limited strength in almost profligate fashion in order to help and encourage the the young, the underprivileged, and the obscure. Mr. Martin's picture of Laski makes much of the recent discussion of his "story-telling" and his vanity seem trivial and ungenerous.

Mr. Martin is, however, far less persuasive and enlightening when he discusses and defends Laski's political doctrines and theories. The Marxist faith which he shares with Laski seems to prevent him from achieving a critical perspective from which he can weigh Laski's contributions to political analysis. In one chapter, for example, he repeats and supports the main arguments which Laski presented in *The American Democracy*, published in 1948. The serious criticisms of this book by American reviewers are dismissed with the implication that they attacked the volume because Laski was "radical" and "unorthodox," and not because of his numerous inaccuracies and mistaken judgments.

Similarly, Mr. Martin's comments on postwar American foreign policy reflect the familiar prejudices of the editorial page of *The New Statesman*. He states, for instance, that by the summer of 1947 "General Marshall's Harvard speech offering economic aid from America's surplus to all countries, including the Soviet Union and its satellites, had dwindled into a proposal to aid governments that fought the growth of socialism within their territory" (p. 188). Are we to assume that this category includes the British Labor Government of 1945–1951?

Finally, it is clear that in the period from 1932 to 1939, when his influence was greatest, Laski constantly argued that the capitalist class would resort to violence and fascism rather than permit the instruments of political democracy to be used to achieve socialist measures. He concluded, therefore, that a non-violent transition to socialism was virtually impossible, and he condemned as unrealistic Utopians the leaders of the Labor party who continued to believe in the viability of parliamentary democracy. It is difficult, therefore, to see how Mr. Martin can argue that "long before 1938 it had become the main object of Harold's life to find for Labour in Britain the path to that 'revolution by consent' which he believed to be the only alternative to civil war . . . ," and that his career is "the story of a man setting out to provide social democracy with a workable philosophy" (p. 69).

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BOOK NOTES AND BIBLIOGRAPHY

AMERICAN GOVERNMENT AND POLITICS

The People's Right to Know: Legal Access to Public Records and Proceedings. BY HAROLD L. CROSS. (New York: Columbia University Press. 1953. Pp. xxiv, 405. $5.50.)

This is an extremely valuable source book containing the statutes, court decisions, and administrative rulings dealing with access by the public to official records. Harold L. Cross, a specialist on laws affecting journalism, made this study under the sponsorship of the American Society of Newspaper Editors, whose members became aroused by the increasing restrictions on access to official news and documents.

After treating the sources of the law, the author makes a state-by-state analysis of the definitions of the relevant terms, with special attention to the "right of inspection," and then examines the laws and decisions regulating access to various municipal and state records, including "police records," judicial records and proceedings, and legislative and administrative proceedings. He then surveys the federal scene, although the increasing use by Congress of secret hearings draws no comment. Four useful appendices provide digests of the relevant court cases and statutory material so that future investigators in this area will have their labors considerably lightened.

Cross shows that the people's "right to know" is unquestionably one of the most narrowly defined and least effectively protected rights to which Americans can lay claim. This unfortunate fact is not explainable solely by historical factors, although the common law rule denies a general right of access to official records and freedom of the press has never been broadened to include the right to obtain news from official sources. What this study reveals most clearly is the fondness for secrecy of legislatures, courts, and administrative officials. While there has been some improvement in the legal rules regulating access by the public to official records and proceedings, there has been a tremendous increase in the amount of official action around which the curtain of secrecy has been drawn.

While reasonable men might differ with the author concerning details, such as the need for publicity in juvenile court proceedings where adults are involved or in rape cases, the indictment of official secrecy which Mr. Cross presents is on the whole amply sustained. An immediate solution of this serious problem, as the author indicates, requires action by Congress and state legislatures. It is conceivable that with strong public support, legislative bodies might move to reform administrative practices, but will they recognize and moderate their own predilection for secrecy? And will legislators who find it necessary to "negotiate" with administrative agencies on behalf of their constituents want full publicity even in the administrative sphere? In its essence the problem which Mr. Cross describes so ably in legal terms raises ethical issues of the highest importance.—W. M. BEANEY, *Princeton University.*

Interstate Cooperation: A Study of the Interstate Compact. BY VINCENT V. THURSBY. (Washington: Public Affairs Press. 1953. Pp. vi, 152. $3.25.)

This study is a useful addition to the writings on the interstate compact. In seven chapters the author describes the circumstances occasioning the establishment of compacts, the development of relevant judicial opinion, the process of congressional consent, the problem of enforcement, uses of the compact, and its utility and limitations. A final eighth chapter recapitulates conclusions found in the foregoing chapters.

A book of moderate length, this volume does not afford the comprehensive, definitive treatment of the interstate compact that is still needed. To some extent it parallels *The Interstate Compact since 1925*, by Frederick L. Zimmermann and Mitchell Wendell, published in 1951 by The Council of State Governments. Well-organized and documented and clearly written, Dr. Thursby's study should be particularly useful to students of constitutional law, state government, and federalism in the United States.

As with the study by Zimmermann and Wendell, this book appears to have been based chiefly on an examination of documents and its emphasis is upon law. Extensive use has been made of newspaper materials and government reports. In appraising the utility and limitations of the compact device, the author has relied primarily upon a comparison of views pro and con of commentators on the compact. In the opinion of this reviewer, something more than this is needed in a definitive study. Actual evidence of the effectiveness of compacts in operation might contribute more to understanding and appraisal than the opinions of the late Mr. Laski. Considerations of law need also to be balanced by considerations of politics and administration.

The type of study of the interstate compact which is now needed would require time and resources not available to most individual scholars. Unless funds and other facilities can be marshalled for a direct investigation of the operation of the interstate compact, Professor Thursby's volume and that of Zimmermann and Wendell will probably remain the best points of departure for a study of the compact for some time to come.—Lynton K. Caldwell, *Syracuse University.*

Freedom through Law: Public Control of Private Governing Power. By Robert L. Hale. (New York: Columbia University Press. 1952. Pp. xvi, 591. $7.50.)

According to the author, this book follows a line of thought that he has pursued since 1909. Your reviewer is inclined to suggest that Prof. Hale's "line" has developed into a massive ball of twine over the course of 44 years. In an exhaustive fashion, the book is concerned with the broad question of the inequitable distribution of economic liberty that results from government policies, judicial decisions, and the free enterprise system itself.

Divided into five parts, the third and fourth constitute the body of this work. Part I analyzes the coercive factors in our free enterprise society and the resultant economic inequalities. Part II deals with the common-law adjustments of conflicting economic liberties. Part III explores the Constitution as protector of economic liberty and equality. Part IV examines various legislative policies that have been enacted to adjust conflicting economic liberties (wage and hour legislation, rate making, utilities regulation). Part V is a ten-page conclusion containing the author's opinion that legislative bodies "seem to be the organs best suited to make the final choices which government at times has to make between conflicting liberties," although legislative policies should be subject to some degree of judicial control. The author does not say so, but he apparently approves in general what we have had since the "Constitutional Revolution" of 1937: positive government accompanied by judicial self-restraint.

It is the author's hope that both layman and lawyer will read his volume. Serious-minded laymen will certainly not find the work stimulating. It is a tedious admixture of the simple and the complex. Nearly 500 court decisions are cited; it seems as if all are discussed. There are extensive quotations from judicial opinions. Some sections constitute a full recitation of cases on a particular subject. On certain occasions the author hammers hard on the obvious, taking nothing for granted; at other times his analysis is obtuse.

Mr. Hale's style of writing is heavy. Some pages remind this reviewer of Chief Justice Edward White's elongated sentences. For example, at one point Hale writes three consecutive sentences which average 70 words each (pp. 443–44).

Of course, the author tackled a gigantic subject. He has given us a treatise in political economy. Unfortunately, his inability to refine his materials leaves the reader with the impression that he has seen hundreds of trees but no forest.—David G. Farrelly, *University of California (Los Angeles).*

The Doctrine of Separation of Powers and Its Present-Day Significance. By Arthur T. Vanderbilt. (Lincoln: University of Nebraska Press. 1953. Pp. 144. $2.50.)

This brief but scholarly and thought-provoking volume comprises the annual Roscoe Pound Lectures delivered at the University of Nebraska in 1952. One chapter views the doctrine of separation of powers comparatively and historically; another deals with the threat to our constitutional system arising from the increased dominance of the national government over the states and of the executive over the legislative branch; and the third deplores the tendency of the courts to abdicate their responsibility for maintaining our traditional scheme of constitutional limitations inherent in the system of separation of powers.

The author, whose many contributions to the science of jurisprudence are widely recognized, presents his subject with an impressive display of learning and zeal. Like a Hebrew prophet of old, he urges a return to the true religion of our fathers from which we have wandered in worship of the welfare state and in our too easy reliance upon an all-powerful executive to lead us through recurring crises.

His plea is essentially for a more vigorous use of the judicial veto to resist current constitutional trends. It is easier to agree with the eminent jurist's diagnosis of our present political institutional ills than to accept without reservation all the remedies for them he proposes. After all, the essence of democracy and limited government, as he admits, is not solely a matter of mechanisms, forms, and formulas; it is also a matter of spirit and substance. And as Justice Stone once said, "Courts are not the only agency of government that must be assumed to have the capacity to govern."—JOSEPH E. KALLENBACH, *University of Michigan.*

The Genius of American Politics. BY DAVID J. BOORSTIN. (Chicago: The University of Chicago Press. 1953. Pp. 202. $3.25.)

The writer supports the thesis that "American democracy is unique," that it is the product of the peculiar circumstances of our history and is inexpressible in a philosophy which will sum up our way of life; hence it is not exportable. "The peculiar strengths of American life," he states, "have saved us from the European preoccupation with political dogmas and have left us inept and uninterested in political theory." "It is our experience, not our dogma or our power, that may be the encouragement and the hope of the world," he concludes.

The Citizen Association: How to Organize and Run It and *The Citizen Association: How to Win Civic Campaigns.* (New York: National Municipal League. 1953. Pp. 64, 64. $0.75 each, $1.20 combined.)

Companion handbooks of great practical value to persons interested in successful civic movements. Both are written by Alexander L. Crosby and edited by John E. Bebout, Allen H. Seed, Jr., and Alfred Willoughby. The first deals with such topics as structure, membership, officers and staff, committees, education and publicity, research, publications, appraising and supporting candidates, and finances. It also includes a model set of bylaws. The second emphasizes campaign organization and strategy, and concludes with stories of fifteen significant citizen campaigns in small and large communities.

America; Ideal and Reality: The United States of 1776 in Contemporary European Philosophy. BY W. STARK. (New York: Grove Press. 1953. Pp. viii, 127. $2.50.)

This book, originally published in 1947, presents mainly the varying ideas concerning America of Guillaume-Thomas Raynal, Gabriel Bonnet de Mably, François-Jean de Chastellux, and Jean Pierre Brissot.

Jacob Leisler's Rebellion: A Study of Democracy in New York, 1664–1720. BY JEROME R. REICH. (Chicago: University of Chicago Press. 1953. Pp. ix, 194. $4.50.)

The story of New York politics from 1664 to 1710 with emphasis upon the interim rule of Jacob Leisler between the fall of James II and the assumption of authority by William and Mary. Leisler is portrayed as an early martyr in the emergence of democracy in colonial America.

A Front Row Seat. BY NICHOLAS ROOSEVELT. (Norman: University of Oklahoma Press. 1953. Pp. xi, 304. $4.50.)

A review of the experiences of a writer and newspaperman who also served for a time in various public capacities and who was close to many important events and personages over a period of forty years. Of special interest are his comments on his Roosevelt relatives, particularly those of the Oyster Bay branch of the family, with whom he is most closely connected.

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AMERICAN GOVERNMENT AND POLITICS

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FOREIGN AND COMPARATIVE GOVERNMENT

French Politics: The First Years of the Fourth Republic. By Dorothy Pickles. (London & New York: Royal Institute of International Affairs. 1953. Pp. xii, 302. $5.00.)

Mrs. Pickles discerns three major features of French politics during the first six years after World War II (the study closes with the general election of 1951): (1) the gulf between the aspirations of the underground and occupation period and the postwar reality; (2) the rapid return to prewar patterns of life; and (3) the extent to which the attitudes and events of the first two years determined subsequent developments. The first two years after the War were dominated by plans and ideas about a new order in France; though some of these ideas were quickly realized—e.g., nationalization of key industries—the new order which filled the hopes and dreams of the resistance did not come into being and life returned to the well-worn grooves of the Third Republic. It is rather doubtful, therefore, whether the first two postwar years of French politics really have determined future developments in the manner of the grand outline presented. Actually, the weight of the evidence points in the opposite direction; e.g., the dreams of the occupation period and the years of provisional government have not left many lasting imprints on French politics.

The shift to the right which became apparent even before the election of 1951 has since been accentuated. There is perhaps no better indicator of the shift in French politics since the first years of the Fourth Republic than the fact that during the debate on nationalization a conservative counterproposal was defeated by a vote of 510 to 41, and that the conservative member who formulated the counterproposal and led the conservative opposition to the government nationalization plans was Joseph Laniel, Premier of France in September, 1953.

There are major limitations on the scope of Mrs. Pickles' study. She notes that she has studied events as Frenchmen saw them in their newspapers, party publications, and debates in the legislative chambers, and that she has recounted and analyzed but has drawn no conclusions and has rendered no judgments. She has addressed her study primarily to British readers and comparisons are made with British institutions only. Despite these limitations, *French Politics* is a necessary addition to an admittedly large list of studies on postwar France. Mrs. Pickles eschews facile solutions and weighty judgments on how Frenchmen should put their house in order. She has no arbitrary "working model"—openly stated or slyly insinuated—which she uses to praise or condemn. She has collected evidence and clearly recognized the limits of her enterprise. For this she and Chatham House deserve praise and thanks.—ALFRED DIAMANT, *University of Florida.*

Administration of Justice in Latin America. By HELEN L. CLAGETT. (New York: Oceana Publications. 1952. Pp. ix, 149. $5.00.)

This study is valuable to scholars in the field of comparative legal systems as a short, up-to-date descriptive survey of the laws on court organization and procedure in the Latin-American countries. Indeed, this is the only monograph on the subject available in either Spanish or English, although much of the same material is found in general volumes. Those who believe that it is possible to treat the twenty Latin-American countries comparatively are supported by the author, who uses a topical method of presentation. One interesting judgment is that "North American influences in the matter of judicial organization, which were felt and acknowledged in the earlier days of some of the new southern republics have disappeared, leaving but few traces, while European influences have prevailed and still exist with appropriate modifications" (p. 11). There is a selective bibliography of 182 sources.

It should be noted that this is a short treatment of the legal aspects of court organization and procedure, and the political scientist undoubtedly will discover that in some cases the detail is inadequate for clear understanding. Furthermore, this is strictly a legal exercise. ". . . no attempt has been made to evaluate the success or failure of any country in practice, judged from a realistic viewpoint" (p. vii). And, "In the present work, only written law and decrees have been taken into consideration, and no comments made on whether or not these have ever been flouted, or to what extent they may have been ignored in practice" (p. vii). It is common knowledge among Latin Americanists that there is frequently considerable distance between law and fact in Latin-American government and politics. It is probably fair to state that we do not get very far in understanding "administration of justice" through studying the laws alone. At the very least, however, the laws on court organization and procedure do represent one form of intent or aspiration, and a comparative study of such laws provides us with one facet of a theory of administration of justice in Latin America.—WILLIAM S. STOKES, *University of Wisconsin.*

Perón's Argentina. By GEORGE I. BLANKSTEN. (Chicago: The University of Chicago Press. 1953. Pp. xvi, 478. $6.50.)

The literature on recent political and governmental trends in Argentina is rapidly expanding, and, as one might expect, descriptions and analyses of *Peronismo* tend to dominate the scene. To say that Professor George I. Blanksten's contribution, *Perón's Argentina*, is another addition to the rapidly growing documentation of the "new Argentina" is to tell only a part of the story, since the volume which now comes to hand is by far the best and most complete study that has appeared. Whereas others have limited themselves to the description of particular aspects of *Peronismo*, Professor Blanksten made good use of the year (1950–51) which he spent in Argentina as an Area Research Training Fellow of the Social Science Research Council digesting what must have seemed formidable quantities of materials to give us a complete, well-rounded, and well-balanced picture of the present Argentine scene. The fact that the book is also well-written merely adds to the pleasure of its perusal.

Organized in a form which might well be described as a series of closely integrated essays, the author first presents a concise summary of pre-Perón Argentina ("A Book of Introductions"), goes on to describe in somewhat greater detail the rise of Juan Domingo Perón and the movement which bears his name ("A Book of All that Glitters"), and then devotes the last two-thirds of the volume ("A Book of Ideology and Politics") to describing the impact of *Peronismo* on such aspects of Argentine culture and society as the concept of individual liberty, education, the press, radio and the dramatic arts, the rich and the poor, political parties, etc. It is in the last part of the book that the reader will find the most interesting and rewarding material, since it is here that the repressive and dictatorial nature of the regime is most clearly spelled out. Special mention should be made of the chapter entitled "Southern Dialectic," in which the reader will find an excellent explanation of *justicialismo*, the political philosophy which underlies *Peronismo*.—Louis G. Kahle, *University of Missouri.*

English Historical Documents: Volume 2, 1042–1189. Edited by David C. Douglas and George W. Greenaway. (New York: Oxford University Press. 1953. Pp. xxiv, 1014. $17.50.)

This, the first to appear of a series of thirteen projected volumes covering British history from 500 to 1914 A.D., is a magnificent addition to any scholarly library. Much more than a series of translated sources for English history in the early years of the Middle Ages, its introduction contains the best short survey of the period extant, and its notes and bibliographies are judicious, extensive, and illuminating. Of particular interest to the political scientist is the fact that now in *one* volume are available fine translations and selections from such works as The Dialogue of the Exchequer, The Policraticus of John of Salisbury, Domesday Book, Glanville, Henry II's judicial enactments, and a wealth of representative charters, writs, and other materials from England's storehouse of historical records. Royal administration, religious establishments, legal development, feudal institutions, and political theory all are richly illustrated and explained by contemporaries. This period was the formative one of an Anglo-American political heritage in which Norman discipline mingled with earlier Saxon tradition to form the bones and sinew from which later government developed. It is thus of basic importance to scholars of our political institutions. One can only hope that future additions to this series will come up to the fine standard set by the editors of this volume.—A. R. Lewis, *University of Texas.*

Tudor Prelates and Politics, 1536–1558. By Lacey Baldwin Smith. (Princeton: Princeton University Press. 1953. Pp. viii, 333. $5.00.)

Students of the English reformation will find intriguing reading in Professor Smith's *Tudor Prelates and Politics*. In a readable and attractive style, the author draws a sympathetic picture of the conservative English bishops from the reign of Henry VIII to the death of Mary. The secular positions occupied by many of the churchmen tended to make them conservative, if not reactionary, in their attitude towards the reformation when its political and social implications became apparent. They thus tended to be in opposition to the liberal reform which clustered partly around the leadership of Thomas Cromwell. In a certain sense, as the author notes, the spirit of their times was not unlike that of ours in that many men of moderate views were compelled by the attitude of their opponents to move to more extreme positions than they might otherwise have been inclined to assume.

The British Parliament. By Strathearn Gordon. (New York: Frederick A. Praeger. 1952. Pp. 247. $4.25.)

A new edition of a volume last issued in England in 1948 by the Hansard Society as *Our Parliament.* Useful appendices and a new chapter on criticisms of Parliament have been added.

Parliamentary Government in the Commonwealth. Edited by Sydney D. Bailey. (New York: Philosophical Library. 1952. Pp. v, 217. $4.50.)

Reprint of a 1950 issue of *Parliamentary Affairs*, newly edited and brought up to date; several articles have been added. An authoritative account, mainly concerned with parliamentary institutional devices in the dominons.

Parliamentary Government in Southern Asia. By Sydney D. Bailey. (New York: Institute of Pacific Relations. 1953. Pp. 100. $2.00.)

A brief survey of developments since 1947 in Pakistan, India, Burma, and Ceylon, dealing with constitutions, parties, elections, legislatures, and cabinets.

The Life and Times of Sir Edwin Chadwick. By S. E. Finer. (London: Methuen & Co. 1952. Distributed by British Book Center, New York. Pp. x, 555. $9.50.)

A first biography of an important mid-nineteenth-century civil servant and reformer.

Ernest Bevin: Portrait of a Great Englishman. By Francis Williams. Introduction by Clement Attlee. (London: Hutchinson. 1953. Distributed by British Book Center, New York. Pp. 288. $4.50.)

A biography by the author of *Socialist Britain*, based largely on personal reminiscences. Only the last fifth of the book is devoted to Bevin's tenure in cabinet office after 1940.

Manitoba Provincial Municipal Committee. *Report with Memorandum of Recommendations.* (Winnipeg: C. E. Leech, Queen's Printer, 1953. Pp. 184.)

The Committee was set up in May, 1951, with Premier Douglas L. Campbell as chairman, to "study financial and administrative relations between the municipalities and other public bodies of the province, and the Provincial Government." A brief memorandum by Prof. R. C. Bellan on some general considerations underlying provincial-municipal relations is included in the report, which was presented to the Speaker of the Legislative Assembly of Manitoba in February, 1953.—J.B.C.

Publications of the Governments of the North-West Territories, 1876–1905, and of the Province of Saskatchewan, 1905–1952. Compiled by Christine MacDonald. (Regina, Sask.: Legislative Library. 1953. Pp. 110. Price: $1.75.)

Saskatchewan, following the pattern of British Columbia, has become the second of the Canadian provinces to have published a relatively full record of its official documents. Pages 102–6 are devoted to the considerable number of crown corporations.—J.B.C.

State of Israel. *Government Year-book 5713 (1952).* (Jerusalem: Government Printer, 1952. Pp. 485. $2.50.)

The *Year-book*, which is a rather free rendering of the original version in Hebrew, entitled *Shenaton*, covers the activities of the government of Israel for the greater part of the fiscal year April, 1951 to March, 1952, summarizing the work of the Knesset (Parliament) and of the various ministries as well as including a statistical abstract. The treaties and agreements to which Israel became a party between April 1, 1951 and June 15, 1952 are listed on pp. 150–59, and it is stated on p. 172 that the "first volume of Treaty texts was completed, with the texts of 30 International Conventions and Treaties in three languages." English translations of the principal legislation of the period, including the Nationality Law, are presented on pp. 207–26. Since the official publications of Israel are almost entirely printed in Hebrew, the *Year-book* will be particularly useful for those not reading Hebrew.—J. B. C.

The General Election in the City of Bombay, 1952. By M. Venkatarangaiya. (Bombay: Vora & Co. Publishers Ltd. 1953. Pp. viii, 169. $2.00.)

A detailed and extremely interesting description of the 1952 election in India's second largest city; the author describes the constituencies, the candidates (most of whom he interviewed), the campaign tactics, the election issues, and the outcome.

Inventaire des affiches conservées aux Archives de la Marne, Tome I. Politique (1716–1951). BY RENÉ GANDILHON. (Chalons-sur-Marne: Archives de la Marne. 1953. Pp. xiv, 495. 1,500 francs.)

For the first time, there is available a good catalogue of much French political source material issued in ephemeral broadside and poster form. Over 6,000 French political broadsides and posters, 1716–1951, are described in the first volume of the *Inventaire* of the Archives de la Marne at Chalons-sur-Marne. The section "Ordres emanant des puissances occupantes" contains some interesting entries. The greater part of the volume is devoted to electoral matters. Future volumes will describe about 25,000 broadsides and posters dealing with economic, legal, military matters, etc.—J.B.C.

Office of the U. S. High Commissioner for Germany. *Elections and Political Parties in Germany, 1945–1952.* PREPARED BY POLICY REPORTS SECRETARY, OFFICE OF EXECUTIVE SECRETARY. ([Berlin?]. 1952. Pp. 93.)

The report is based on two previous publications of the Office, *Elections in Germany*, 1947, and *Political Parties in Western Germany*, 1949, and gives comparative statistics of the postwar elections, statements about the political parties, and biographies of governmental and political leaders, including the Soviet Zone. A very useful five-page glossary helps elucidate many points.—J.B.C.

Geschaftsordnung des Deutschen Bundestages. (Bonn. 1952. Pp. 72.)

The rules of the German Bundestag were effective as of January 1, 1952. Articles 96, pars. 3 and 4 were affected by a decision of the Bundesverfassungsgericht of March 6, 1952; otherwise there seems to have been no change in the rules to the present.—J.B.C.

Landeskalender für Baden-Württemberg 1953. Amtliche Ausgabe mit dem Marktverzeichnis und dem Behördenführer. (Stuttgart: W. Kohlhammer. 1953. Pp. 112.)

The first official directory for the new Southwest German state of Baden-Württemberg, formed in 1952 by the merging of Baden, Württemberg-Baden, and Württemberg-Hohenzollern, is published in the above, by the Innenmisterium. Pages 45–107 are devoted to the directory.—J.B.C.

Ministero dell'interno. Direzione generale dell'amministrazione civile. Divisione servizi elettorali. *Elezione politiche, 1953. Pubblicazioni n. 1–11.* (Roma: Istituto Poligrafico dello Stato. 1953. 11 vol.)

The series of eleven instructional and informational publications, which were issued by the Electoral Service of the Italian Ministry of the Interior for the 1953 elections to the Chamber of Deputies and to the Senate of Italy, seems to be intended mainly for administrative use. It includes the electoral laws, regulations, instructions, reproductions of the party symbols, lists of the candidates to both chambers, detailed lists of the electoral units for the elections to the two chambers, etc.—J.B.C.

War and Postwar Greece: An Analysis Based on Greek Writings. PREPARED BY FLOYD A. SPENCER. (Washington: The Library of Congress. 1952. Pp. xv, 175. $1.15.)

A survey of the political and economic scene in Greece, plus commentary on recent Greek social and cultural developments, derived mainly from a study of materials written in Greek since 1944.

The Arab World: Past, Present and Future. BY NEJLA IZZEDDIN WITH AN INTRODUCTION BY WILLIAM E. HOCKING. (Chicago: Henry Regnery Co. 1953. Pp. xii, 412. $6.50.)

The geography, culture, and history of the early Arab world forms a brief introduction to a more detailed study of Arab movements and developments in the 20th century; by an Arab woman whose Chicago Ph.D. is itself testimony to changes in Arab tradition.

State and Economics in the Middle East: A Society in Transition. BY ALFRED BONNÉ. (New York: The Grove Press. 1953. Pp. xiv, 439. $6.00.)

A general study of the evolution of Middle Eastern states and institutions of government, considered against the problems created by limited industrial developments and economic change in a relatively stationary agrarian society.

Checklist of Philippine Government Documents, 1950. COMPILED BY THE BIBLIOGRAPHICAL SOCIETY OF THE PHILIPPINES. (Washington: The Library of Congress. 1953. Pp. 62. $.40.)

In 1918, the Philippine Library and Museum at Manila issued a *Checklist of publications of the government of the Philippine Islands, September, 1900, to December 31, 1917*. The *Checklist* for 1950 is the first systematic attempt since 1918 to record in separate form the documents of the Philippines.—J.B.C.

Salt for the Dragon: A Personal History of China, 1908–1945. By Esson M. Gale. (East Lansing: Michigan State College Press. 1953. Pp. xi, 225. $4.00.)

Memoirs of a former American consular official who went to China first in 1908 as a student interpreter and for the last time in 1942 with General Stilwell, and who spent most of the intervening years in China in various official positions.

Soviet Law in Action: The Recollected Cases of a Soviet Lawyer. By Boris A. Konstantinovsky; edited by Harold J. Berman. (Cambridge: Harvard University Press. 1953. Pp. x, 77. $1.50.)

This work is a compilation of cases heard in the Soviet courts during the period 1931–41 as recalled by a former professor of law at the University of Odessa, who is now research assistant at the Harvard Russian Research Center. The book is intended as a supplement to Berman's *Justice in Russia*, but is an entity in itself. It provides interesting glimpses of the practical workings of the Soviet legal system.

Modern Foreign Governments. By Frederic A. Ogg and Harold Zink. (New York: Macmillan Co. 1953. Pp. xi, 1005. $6.25.)

A new edition of this standard textbook. Several sections have been rewritten and the whole has been brought up to date.

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FOREIGN AND COMPARATIVE GOVERNMENT

WILLIAM H. ROBERTS

Catholic University of America

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INTERNATIONAL LAW AND RELATIONS

Pan-Slavism: Its History and Ideology. By Hans Kohn. (Notre Dame, Ind.: University of Notre Dame Press. 1953. Pp. ix, 356. $6.25.)

This study, another in the useful publication series of the Notre Dame Committee on International Relations, has long been needed to enable students to evaluate the Soviet resurrection of Pan-Slavism during and after World War II. The volume has three parts. Part I deals with the historical antecedents of Pan-Slavism among the Western and Southern Slavs and the reactions of Western European observers to Russian imperialist Pan-Slavism. In Part II Professor Kohn describes the development of Pan-Slavist ideology among Russian intellectuals; of special interest is his treatment of Pogodin, Danilevsky, Tyutchev, and Dostoevsky—Russian intellectuals who desired to use Pan-Slavism as a vehicle for their own messianism by making Russian and Slav synonymous. Part III is devoted to the role of Pan-Slavism in the World Wars and concludes with a very penetrating analysis of the Soviet regime's crass exploitation of this ideology. The study contains revealing material on the Slav Congresses of 1848, 1867, 1908, and 1946

Professor Kohn, who has contributed so much to our understanding of the intellectual sources of nationalism, has the unique gift of merging empirical research and broad formulations and of developing illuminating parallels. While one might question the inclusion of the Kalmyks with the Mohammedans (p. 228), one cannot but be impressed with the volume's documentation.

Basic to Professor Kohn's study is the theme of the essential diversity of the Slavic world—a fact which the Pan-Slavists have ignored in failing to recognize the Western orientation of the Croats, Czechs, Poles, Slovaks, Slovenes, Western Byelorussians, and Western Ukrainians. The author makes it clear that the divisive tendencies which have long been at work in the Slavic world are still evident and make Pan-Slavism as unrealistic as a Pan-Germanism which would include the Dutch and Scandinavians or a Pan-Latinism embracing Belgium, France, Italy, Rumania, Spain, and Latin America.

Professor Kohn's study contains 83 pages of exhaustive and informative bibliographical notes and is invaluable to all students of nationalism, of Eastern Europe, and of Soviet foreign policy.—JOHN S. RESHETAR, JR., *Princeton University.*

Soviet Imperialism: Its Origin and Tactics. EDITED BY WALDEMAR GURIAN. (Notre Dame, Ind.: University of Notre Dame Press. 1953. Pp. 166. $3.75.)

This symposium by seven acknowledged scholars in the Russian field starts with the premise that the Kremlin has been ruthlessly expansionistic and that something ought to be done about it. Soviet political techniques have made their brand of imperialism much more effective and dangerous than old-fashioned tsarist aggrandizement.

Though all contributors agree on this, some of the émigré writers, amazingly enough, assume that the collapse of Bolshevik power is inevitable. N. S. Timasheff pleads that the world at large should "leave the problems arising from the downfall of Communism to the peoples of Russia." And Michael Pap, too, fears outside interference "after the downfall of Bolshevism."

Another surprising note which often recurs in these studies is that tsarist imperialism was not really so bad even when cruelly oppressing Poles and Ukrainians because all the great powers were doing it then—before self-determination became the vogue. In comparison with Communist dictators, the Alexanders and Nicholases may look like amateur tyrants, but it is still hard to think of those autocratic times as "the good old days."

If this symposium were made into a handbook on Soviet imperialism, it might summarize the differences in Soviet and tsarist imperialism as follows: First, Soviet imperialists are less inclined to negotiate their expansion. They favor unilateral action with plenty of armed force. Second, dynamic communism adds strength and terror to its cause by claiming the whole world as its objective. Third, this new imperialism gains power by the Communist propaganda theme of saving the downtrodden workers and colonial peoples from capitalist imperialists. Marxist intranational class struggle is thus transferred to aggressive international conflict between "good" and "bad" powers. Dr. Barghoorn pleads that we must actively combat this part of the Soviet propaganda line. Fourth, Soviet imperialism is much more devastating because minorities like the Ukrainians, Poles, or Mohammedans are being systematically sovietized or liquidated. Fifth, Great Russian nationalism, through implements of religious, educational, and even military institutions, has become a rallying ideal for the new Soviet Man. And, finally, neighboring cultures are being remoulded as weapons of Soviet national policy. For example, Polish and Chinese popular movements are exploited to serve the new Soviet empire.

Since prognostications on the outcome of the dilemma often fall back on what amounts to faith in human nature, papers of this type read better without recommendations for action.—D. LINCOLN HARTER, *University of Pennsylvania.*

Containment or Liberation? An Inquiry into the Aims of United States Foreign Policy. BY JAMES BURNHAM. (New York: The John Day Co. 1953. Pp. 256. $3.50.)

Containment or Liberation? is written for those who choose to believe the worst about diplomats and the dilemmas of the "cold war." Not by accident, it was cited against Mr. Bohlen at hearings on his appointment as Ambassador to Moscow. In the prevailing hysteria, it strikes a heavy blow against the professional conduct of foreign policy.

Its beguilement is twofold: it postulates a desirable goal and a simple, unambiguous means of attainment. The subtitle's claim that the book is "An Inquiry" is misleading, for the author's goal is questioned for the first and last time on the title page. Yet, although Mr. Burnham labors painfully by hearsay and innuendo to associate all diplomats with enslavement, he hardly emerges as the sole believer in liberation. "Containment is a teacup edition of the ordinary citizen's normal bias" for remaining on the defensive (p. 31). It is responsible for European neutralism (p. 95), Soviet strength (p. 70), unequal sacrifice in Korea (p. 88), and suspicion of the West (p. 42). Less imaginary objections to containment such as its mere anticommunism, its clash with social revolutions, and the risks of overextending U.S. commitments are studiously ignored. And though he does not recognize it, Mr. Burnham and the diplomats agree that containment in itself is not enough.

But agreement ends here. A prudent foreign policy demands measures to reduce the Soviet empire through redressing the balance of power, disengaging Soviet satellites, and negotiating viable settlements based on legitimate national interests. This is too tame for Mr. Burnham, who bemoans the restraint of a policy which has resulted in "no plane shot down, no use of diplomatic immunity for spying and subversion, no citizens captured, tortured or imprisoned. . . ." (p. 63). For him the balance of power requires the "encirclement of the Soviet Empire" (p. 114). Liberation must be carried on by political warfare, auxiliary military actions and, in all probability, general war in the future (pp. 223, 130–31, 239).

During the recent presidential election the pro-American journal *The Economist* (London) pointed out: "Unhappily 'liberation' applied to Eastern Europe—and Asia—means either the risk of war or it means nothing." Mr. Burnham is not one to shrink from such a choice. He believes that "most of the successful wars of history have been carried on in other people's territory" (p. 107) and sees no reason for postponing victory. He thinks in military not political categories. His real objection to containment derives from Clausewitz's dictum: "An absolute defense completely contradicts the conception of war" (p. 34). Since both war and politics involve conflict, he falsely imagines they are identical. Not understanding that war represents a breakdown of politics, he has no need for the laws of foreign policy as contained in the idea of the national interest. A far wiser American, John Quincy Adams, warned this country "that by once enlisting under other banners . . . were they even the banners of foreign independence, she would involve herself beyond the power of extrication in all the wars of interest and intrigue, of individual avarice, envy and ambition which assume the colors and usurp the standards of freedom." If Mr. Burnham would abandon the implicit assumption of the coming defeat of communism by war, he could turn to the more useful task of determining this country's hierarchy of interests and our capacity as against Soviet power to achieve certain concrete objectives.—KENNETH W. THOMPSON, *Northwestern University.*

The Government of the Catholic Church. BY ELIZABETH M. LYNSKEY. (New York: P. J. Kenedy & Sons. 1952. Pp. x, 99. $2.00.)

This is a brief, even sketchy, description of the formal structure of world Catholicism. Part I, "The Form and Functions of Church Government," reviews (in about 25 pages) the episcopate, the diocesan organization, and the papacy. For anyone quite unacquainted with the Church, this very spare introduction can be helpful. Part II, "Local, National, and Supra-National Elements in Church Government," introduces the reader to Catholic missionary work and to the varied organizational devices that have been developed to further it. This is the best part of the book. There is also a brief analysis of national elements in the Church and how these are handled. Part III, "The Church as a World Society," is largely devoted to the distinction between the Church as a religious association and the State of Vatican City as a sovereign geographical unit, all largely written with the debate over U.S. representation to the Vatican in mind. The point of view is explicitly Catholic, and includes some remarkably ingenuous formulations that might be thought charming in a more easy-going world.—PHILIP SELZNICK, *University of California (Berkeley).*

The Church under Communism. BY THE COMMISSION APPOINTED BY THE GENERAL ASSEMBLY OF THE CHURCH OF SCOTLAND. (New York: Philosophical Library. 1953. Pp. 79. $6.00.)

Second report of the Commission on Problems of Communism appointed by the General Assembly of the Church of Scotland, dealing briefly with the condition of church life in the Soviet Union, eastern European countries behind the Iron Curtain, and China; the lessons to be learned from the Communist suppression of church organizations; and suggested counteraction against communism which can be taken by the Presbyterian Church of Scotland.

International Relations: The World Community in Transition. BY NORMAN D. PALMER AND HOWARD C. PERKINS. (Boston: Houghton Mifflin. 1953. Pp. ix, 1270. $7.00.)

An encyclopedic new text following a familiar outline: descriptions of the nation-state system, of the ways in which nations use their various powers, and of the limited controls on interstate relations precede a survey of international politics from 1900 to 1945; an analysis of economic and political changes in the postwar world is followed by a discussion of the policies of the major powers and of United Nations activities and problems; the concluding chapter asks "Tomorrow: The Same World Still?" to which the answer is, "Roughly, yes." The emphasis on economic subjects is a welcome development in such a text.

Modern World Politics. By Thorsten V. Kalijarvi and Associates. (New York: Thomas Y. Crowell Co. 1953. Pp. xi, 660. $6.50.)

A third edition, almost completely rewritten, of a well-known text, still organized about the familiar theme that world politics is a struggle for power. The material is arranged so that historical country sections may be omitted if a more general theoretical approach is desired, and such chapter topics as "Aeropolitics" and "Secret Movements, Espionage, and Treachery" provide interesting variation from the usual content.

International Economic Organisations. By C. H. Alexandrowicz. (New York: Frederick A. Praeger. 1953. Published under the Auspices of the London Institute of World Affairs. Pp. xii, 263. $6.00.)

A professor of both international and constitutional law appropriately brings both these disciplines to bear on this survey of attempts at world economic cooperation, beginning with such subjects as central bank cooperation and cartels and ranging through the interwar years down to the great variety of public postwar organizations.

Survey of International Affairs, 1949–1950. By Peter Calvocoressi. Assisted by Sheila Harden with an Introduction by Arnold Toynbee. (New York: Oxford University Press. 1953. Pp. ix, 590. $12.00.)

Documents on International Affairs, 1949–1950. Edited by Margaret Carlyle. (London, New York, and Toronto: Oxford University Press. 1953. Pp. xxiv, 796. $12.50.)

A comprehensive survey of world events during the eventful two-year period bounded by the signing of the North Atlantic Treaty and the Chinese intervention in the Korean war; R. G. Hawtrey contributes chapters on economic matters and F. C. Jones sections on Japan and China. The accompanying volume of *Documents* parallels the organization of the *Survey* and is a most complete and invaluable reference work.

The American Road to World Peace. By Alfred Zimmern. (New York: E. P. Dutton & Co. 1953. Pp. 287. $4.00.)

A history of the attempts, successful and otherwise, at world cooperation and organization in the 20th century, focused especially on the role of the United States.

The United States and Mexico. By Howard F. Cline. (Cambridge: Harvard University Press. 1953. Pp. xvi, 452. $6.00.)

The title is misleading. This is not a general discussion of U.S.-Mexican relations, but rather an interpretation of U.S.-Mexican problems since 1910 (127 pp.), superimposed on a more lengthy background discussion of internal developments in Mexico (276 pp.).

Foreign Relations of the United States: Diplomatic Papers, 1935. Vol. IV. The American Republics. Compiled by the Department of State. (Washington: Government Printing Office. 1953. Pp. lxxxix, 988. $4.00.)

U. S. mediation helped to end the Chaco war although the prisoner exchange issue was not settled until 1936; four more reciprocal trade agreements were concluded; a revolution shook Ecuador. Once again the documents show how much appalling detail is necessary to handle even small matters.

Foreign Relations of the United States, 1935· Volume III. The Far East. Compiled by the U. S. Department of State. (Washington: Government Printing Office. 1953. Pp. cvii, 1128. $4.50.)

China and Japan in a relatively uneventful year. Japan tightens its control over North China, Ambassador Grew warns of Japan's imperial dreams and of the likelihood that the military will override more restrained civilian policies, and Ambassador Johnson describes the military and economic problems of China and internal political movements.

Japan and America Today. By Edwin O. Reischauer et al. (Stanford, Cal.: Stanford University Press. 1953. Pp. ix, 166. $3.00.)

Papers presented to, and a summary of the discussion at, a conference on Japanese-American relations held in Hawaii in January, 1953; political relations between the two countries and Japan's developing economic and trade difficulties receive major emphasis.

Americans and Chinese: Two Ways of Life. By Francis L. K. Hsu. (New York: Henry Schuman. 1953. Pp. xix, 457. $6.00.)

A Chinese anthropologist, now teaching at Northwestern University, effectively describes the Chinese character and way of life by contrasting and comparing them with the American.

The Origins of Soviet-American Diplomacy. By Robert Paul Browder. (Princeton: Princeton University Press. 1953. Pp. xi, 256. $5.00.)

Covering the years from 1929 to 1935, this is a study of Soviet-American relations centering around U. S. recognition of the Soviet Union, the negotiations leading to recognition, and the disillusionment that followed.

The Road to Safety: A Study in Anglo-American Relations. By Arthur Willert. (New York: Frederick A. Praeger. 1953. Pp. viii, 184. $3.50.)

Anglo-American relations during World War I, reviewed mainly around the activities of a rather remarkable young Englishmen, Sir William Wiseman, who was nearly as much at home in the White House as in his own embassy and who is described as President Wilson's and Colonel House's "confidential Englishman"; the author was Washington correspondent for the London *Times* during the period.

Documents on German Foreign Policy, 1918–1945. Series D. Vol. V. Poland; the Balkans; Latin America; the Smaller Powers; June 1937–March 1939. Compiled by the Department of State. (Washington: Government Printing Office. 1953. Pp. lxxxvi, 977. $3.25.)

A selection of documents from the German archives covering German relations with the smaller powers of Europe and the Near East, as well as Latin America, from 1937 to 1939; a separate chapter deals with Germany's anti-Jewish legislation as it drew attention from foreign governments.

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INTERNATIONAL LAW AND RELATIONS

H. ARTHUR STEINER*

University of California (Los Angeles)

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POLITICAL THEORY, RESEARCH AND METHODOLOGY

Saints in Politics: The "Clapham Sect" and the Growth of Freedom. By Ernest Marshall Howse. (Toronto: University of Toronto Press. 1952. Pp. xv, 215. $5.00.)

During the French Revolution and its aftermath, many leaders in the political and economic life of Great Britain, witnessing the violence and excesses accompanying the

Revolution across the English Channel, resolved to fight against all disturbances of the *status quo* in Britain, lest they lead to the same sort of violence and revolution among the people of the British Empire.

The result was the continuance, under inhuman conditions, of the slave trade and of slavery in British possessions and increasing poverty and misery among the new proletariat to which the industrial revolution had given rise in the factory towns and villages of the British Isles.

To mitigate this misery, prominent religious and moral leaders entered the public arena, and demanded a series of important social reforms. One of the most outstanding of these groups was a "brotherhood of Christian politicians," lampooned during their lifetime as "The Saints," and later remembered as "The Clapham Sect," Clapham being the name of the village near London in which many of the leaders of the Sect had their country home. The leader of the group was the great crusader for freedom, William Wilberforce.

Dr. Howse in this volume brings together for the first time a complete description of the activities and personalities of this fascinating and significant group. He tells of their life at home and of their intense campaigns for social change. Most important of these campaigns was that for the abolition of the slave trade from Africa to the British West Indies and for the abolition of slavery itself throughout the British colonies.

The author tells accurately, clearly, and vividly the remarkable story of the "Saints' " long and brilliant fight against this tragic evil. He describes more briefly their successful efforts to establish important missionary and Bible societies, develop Sunday schools and other projects of popular education, revise the East India Charter, improve British "manners," and relieve some of the worst cases of poverty.

Dr. Howse admits the charge that the Clapham Sect gave little attention to the grave economic and social injustices of the day within Great Britain. Wilberforce and his coworkers were, for the most part, wealthy men and conservatives in politics. While not insensible to the responsibilities of the rich, they supported legislation for the suppression of meetings of mass protest, approved the suspension of the writ of habeas corpus, and defended the shooting of those who had assembled in St. Peter's field on the outskirts of Manchester to listen to demands for parliamentary reform. On the other hand, there were, according to the author, extenuating circumstances in the social attitudes of this group. The Clapham Sect had been brought up on the laissez faire philosophy of Adam Smith, Ricardo, and Malthus, while the knowledge, and in no small part the development, of the hideous factory and mine conditions came late in Wilberforce's life.

Nor did this group ignore all social issues in the homeland. They voted for better factory conditions and for penal reform, and engaged in many enterprises for the wiping out of illiteracy. They likewise developed an effective technique of propaganda that was later applied with much success by many liberal and progressive groups.

Though this volume gives a valuable insight into the history of the times, it would have been far more valuable to the student of history if the author had appraised more carefully the effect of economic, political, social, moral, and international forces in converting the members of Parliament from bitter opponents to enthusiastic supporters of Wilberforce on the slavery issue. The author does quote a paragraph from Dr. Klingsberg's *The Anti-Slavery Movement in England*, which declares that economic changes in the West Indies, the growth of industry and commerce, the abolition of slavery in other countries, and the prospect of gaining universal abolition at the next peace congress, gave added weight to Wilberforce's antislavery arguments. But Dr. Howse nowhere elaborates on these and other forces, nor does he prove his point that the abolition of slavery was due *primarily* to the fervor and brilliant strategy of the Clapham Sect, rather than to the underlying social and economic forces of the day.

The book nevertheless gives the most thorough and scholarly account thus far published of the life and achievements of one of the most remarkable group of intellectual and moral reformers which Britain has produced. A well-selected 17-page bibliography adds to the value of this attractive and, in many parts, deeply moving volume.—HARRY W. LAIDLER, *League for Industrial Democracy.*

Shame and Glory of the Intellectuals: Babbitt Jr. vs. the Rediscovery of Values. BY PETER VIERECK. (Boston: The Beacon Press. 1953. Pp. xvi, 320. $4.00.)

In this notebook of acute aphorisms on a variety of Professor Viereck's favorite subjects, the sharpest remarks are directed against the surprising number of intellectuals who demonstrated a marked susceptibility to communism in the thirties and forties. Viereck is disturbed by the baffling paradox of numbers of these intellectuals who had won glory in leading the fight against fascism, only to be shamed by condoning fascist practices when they bore a communist guise. The paradox is explained by the prevalence of what Viereck calls a "new philistinism," the stereotyped avant-garde that in this generation has produced Babbittry among the intellectuals and consequently encouraged cynicism toward the simple and enduring virtues of Western civilization. The moral sense of perceptive men and women was thereby numbed to the point where they were able to overlook communism's disobedience of the moral law that men ought never to be used merely as means.

In this analysis the political and the artistic enemies are the same: irrationalism and obscurantism, slogan and cliche. This affords Viereck the opportunity to carry the attack with the sensitivity and incisiveness of, respectively, literary and social critic, and this is what makes the book especially provocative.

The cure for the value-free intellectual is the re-establishment of contact with the "Graeco-Roman-Christian-Hebrew" tradition whose continuity alone assures freedom. And the need for a "new conservatism," of which Professor Viereck is a leading spokesman, is established because "if you have become convinced that freedom depends on the unbroken continuity of a communal ethical tradition, then you must give the vote also to your ancestors."

Professor Viereck is engaged in a crusade and, unfortunately, the characteristic brutality and violence of crusades is not entirely absent from his book. Quite apart from his style, the classical restraint and balance which Viereck admires is lacking, at least in such details as the description of Italian Christian Democracy as "valiantly democratic" or of Bevan as a socialist who would betray democracy. If it is the price of counterrevolution against totalitarianism to be infected by the methods of the enemy, some apprehension concerning the exact nature of the outcome is justified.

Yet in broad outline this appeal for a neo-Burkean state of mind is very attractive and perhaps the dedication to Winston Churchill implies with sufficient precision the program Viereck advocates and the passions he seeks to arouse. At any rate, Professor Viereck conducts his campaign predominantly in an intelligent, timely, and original manner.—Gerhard Loewenberg, *Mt. Holyoke College.*

Die politische Philosophie des Altertums. By Rudolf Stanka. (Wien-Koln: A. Sexl. 1951. Pp. 462.)

This volume deals with the political thought of the Ancient Orient, Greece, and Rome, terminating with a brief summary of the significance of early Christian thought as expressed by St. Augustine. The author's treatment is summary in form and follows the traditional approach. Of special interest to American students is the first chapter dealing with the political concepts of the Ancient Orient.

The Political Philosophy of Bakunin: Scientific Anarchism. Compiled and edited by G. P. Maximoff. (Glencoe, Illinois: The Free Press. 1953. Pp. 434. $6.00.)

The selections in this volume are taken chiefly from the later writings of Bakunin. The editor has attempted to group the selections under appropriate headings and thus to present a coherent picture of Bakunin's collective thought on philosophy, society, anarchism, and revolutionary tactics. Many of the selections are presented in English translation for the first time. Introductory essays by B. F. Hosilitz and Rudolph Rocker define the position of Bakunin in political thought, and an essay by Max Nettlau presents a biographical sketch of Bakunin.

Hume: Theory of Politics. Edited by Frederick Watkins. (Austin: The University of Texas Press. 1953. Pp. xxx, 246. $2.00.)

This volume contains Book III, Parts I and II of *A Treatise of Human Nature* and thirteen of the *Essays, Moral, Political and Literary* which deal with political subjects, together with an introduction by the editor summarizing Hume's theories of natural law and government.

Political Thought in France: From the Revolution to the Fourth Republic. By J. P. Mayer. (New York: Grove Press. 1953. Pp. x, 154. $3.00.)

A reprinting of the revised edition of 1949 of a book first published in 1943, summarizing

French political ideas from 1815 through the period of the Third Republic.

Thomas Paine: Common Sense and Other Political Writings. EDITED BY NELSON F. ADKINS. (New York: The Liberal Arts Press. 1953. Pp. liii, 184. $.75.)

A paper bound reproduction of the "New Edition" of *Common Sense; The American Crisis*, I and XIII; selections from parts one and two of *Rights of Man;* and the *Dissertation on First Principles of Government;* with an introduction by the editor.

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NEWS AND NOTES

PROFESSIONAL CONFERENCES

Forty-ninth Annual Meeting of The American Political Science Association: Minutes of the Council Meeting

The Council of The American Political Science Association convened in the Ohio Room of the Hotel Statler, Washington, D. C., at 9.30 A.M. on Wednesday, September 9, 1953. President Pendleton Herring called the meeting to order. The following officers and members of the Council were present: Charles Aikin, M. Margaret Ball, Walter H. Bennett, Hugh A. Bone, Ralph J. Bunche, Hugh L. Elsbree, David Fellman, John H. Ferguson, John Gange, Pendleton Herring, Lee S. Greene, Victor Jones, Edward H. Litchfield, Dean E. McHenry, Charles McKinley, Boyd A. Martin, Jack W. Peltason, Robert S. Rankin, Emmette S. Redford, Clinton Rossiter, Ivan Stone, and David B. Truman. Past presidents John M. Gaus, Arthur N. Holcombe, Peter H. Odegard, and Henry R. Spencer, and associate director Kenneth W. Hechler were also present.

Since this was the last Council meeting of the present executive director, President Herring read to the Council the letter from the last four Association presidents to Mr. Litchfield, expressing their appreciation for his services as executive director.

Mr. Litchfield reviewed the Association's financial position in the following terms:

a. Last year's revenues were originally estimated at $95,934.43. Subsequent grants and revenue increases raised the estimate to $125,264.43. Revenues amounted to $125,726.34, or an excess of actual revenue over estimated revenue of $461.91.

b. Expenses were originally estimated at $95,934.43. Revisions made by the Executive Committee to undertake responsibilities resulting from the additional grants increased the revised estimate of expenditures to $125,264.43. Actual expenditures totaled $121,574.49.

c. Actual revenues therefore exceeded actual expenditures by $4,151.85. Of this, $2,065.97 is actually earmarked for the completion of the convention delegations study. The remaining $2,085.88 reverts to our operating reserve.

d. Our uncommitted and unbudgeted assets at the present time are as follows:

1. General Operating Reserve	$ 6,302.53
2. General Endowment and Trust Funds............	23,580.00
3. Bequests outstanding from as yet unsettled estates...	10,000.00
Total	$39,882.53

The Council then considered the proposed budget for the fiscal year 1953–54. The budget contemplates a total revenue of $122,125.97 as against a total expenditure of the same amount. In proposing this budget on behalf of the Executive Committee, the director called attention to the fact that next year's revenues are more than twice those of three years ago, and that the gap between revenue and expenditures, originally financed by a Carnegie Corporation grant, has now been closed. The Association is now in a position to maintain its program from existing resources. On the motion of Mr. Aikin, seconded by Mr. Redford, the proposed budget was adopted with the understanding that sums might be transferred from item to item by the executive director with the approval of the Executive Committee.

The report of the auditing firm of F. W. Lafrentz & Co., of Washington and New York City, was considered and accepted by the Council. The motion was made by Mr. Jones, seconded by Mr. Bennett, and carried unanimously.

The executive director's report contained a recommendation regarding the need for a long-range investment and financial development policy. On motion of Miss Ball, seconded by Mr. Rossiter, the incoming treasurer was instructed to bring forward a plan for long-range financial development.

President Herring directed the Council's attention to the general question of the functional program of the Association. He noted that in addition to the financial structure of the Association, the problem of the Association's functions had been one of the original issues placed before the Association at the time of the establishment of the Washington Office. He asked Mr. Litchfield to report on the development of these functions over the last three-year period.

In outlining current activities, Mr. Litchfield noted seven basic functions now performed by various portions of the Association organization.

1. *Research*—While avoiding duplication of the work of individual scholars, research organizations, and educational institutions, the Association has found it necessary to carry on organized research activities. These have been restricted to fields in which the assistance of a large number of persons in many different parts of the country is required for the satisfactory completion of the undertaking. The principal illustration of this type of function is provided by the study of "Presidential Nominating Politics in 1952," financed by a $55,000 foundation grant and directed by Dr. Paul T. David, on leave from The Brookings Institution.

2. *Training*—The Association has introduced a Congressional Interne Program designed to provide training in the legislative process for younger members of the profession. The first group has been selected and is now in a year's residency in Washington.

3. *Problem Identification and Project Design*—With the aid of a small foundation grant, the Association has now begun to perform the distinctive process of identifying major problems in the field of political science and designing research projects which will aid in the exploration of those problem areas. The director noted that this function was well illustrated in the past year by the completion of the design of a project for the biennial collection of election statistics.

4. *Governmental Affairs Institute*—The Association continues to rely upon its affiliate, the Governmental Affairs Institute, to perform a number of functions which are important to the profession, but which do not logically or appropriately belong within the immediate structure of a membership organization. In the last year the Institute has carried on an extensive exchange program for political leaders from other parts of the world. It has also undertaken contract research involving political science problems.

5. *Service to Government Agencies*—In the last several years the Association has on occasion provided expert advice to the President of the United States and to agencies of the United Nations. This facility continues to be available whenever it is called upon. Most recently an Association committee prepared recommendations for the White House on the subject of soldier voting.

6. *Personnel*—The national offices continue to provide exchange facilities for members of the profession leaving the government service and returning to academic life and for those who wish to move from one academic position to another. The Personnel Service is growing and now devotes as much attention to the senior positions of the profession as it does to the younger members of the organization.

7. *Communication*—A departmental chairman's newsletter is still relied upon for distribution of essential information. Plans are now going forward for the introduction of another news organ which will more adequately meet the need for extensive communication within the profession as a whole.

The Council noted these actions and expressed its belief that they represent the kind of program which the Association should carry forward.

Mr. Ferguson and Mr. Jones raised the question of giving life memberships to members of the Association, upon retirement, after many years of membership, and it was decided that the Washington Office staff should estimate the cost before any decision was made.

Mr. Rossiter inquired concerning the formal relationship between the Association and the Governmental Affairs Institute. The executive director explained that the Board of Directors of the Institute is made up of past presidents of the Association and an editor of the REVIEW, and that no new Board member can be appointed without clearing with the current president of The American Political Science Association. Miss Ball moved that the relationship between the Association and the Institute be studied by the new Executive Committee. The motion was seconded by Mr. Bennett and carried.

President Herring mentioned that Mr. Bunche, Mr. Litchfield, and he had called on President Eisenhower this spring to offer the services of the Association on any project he might wish them to undertake.

The President then asked for suggestions from the Council members as to materials to be included in, and distribution of, a new house organ to replace the departmental chairmen's newsletter. Since 50% of the Association's members are not academic people, and since circulation of one newsletter to each member of a department of political science does not prove too satisfactory, distribution to the individual members is to be considered. Various factors have also prompted the consideration of combining portions of the News and Notes items currently appearing in the REVIEW with material in the new newsletter. Mr. Bennett made a motion that the staff of the Washington Office estimate the cost of preparing and mailing this new type of house organ and report the findings to the Board of Editors of the REVIEW, and that this report together with the comments of the Board of Editors be forwarded to the Council as soon as possible. The motion was seconded by Mr. Rossiter and carried.

The 1953 edition of the *Directory of the American Political Science Association* was discussed. Mr. Redford expressed the hope that all books written by Association members might be listed, but it was agreed that as well as being costly, publication would be delayed, if members must be contacted again. Mr. Litchfield explained that the *Directory* unit, with its editor and Advisory Committee, functioned autonomously, the same as other Association projects. After some suggestions from the Council members, it was moved by Mr. Greene that the Council approve the publication as noted in the motion of the Advisory Committee of the *Directory* at its meeting on July 15, 1953. It was also suggested by Mr. Greene that the staff of the Washington Office take note of the discussion of the Council. President Herring put the motion to the Council members that the following excerpt from the Minutes of the Advisory Committee be approved. The motion carried.

"After full consideration of the financial limitations on staff, and limitations on time available, the Advisory Committee unanimously recommended that only the following adjustments be made in the form and scope of the *Directory:*

"1. Presidents and Past Presidents of the American Society for International Law, The American Society for Public Administration, and all regional affiliates of The American Political Science Association should have such offices listed in their personal biographical entries in the body of the *Directory*.

"2. The fields of interest (specialization) in the individual biographical entries should be represented by abbreviations rather than code numbers.

"The Advisory Committee unanimously feels that, while it would be desirable to include more than four books per author, financial limitations make this impossible to do.

"The Advisory Committee strongly recommends a printed rather than an IBM-processed publication.

"The Advisory Committee also expressed confidence in the basic usefulness of the *Directory* as planned by Dr. Bush and strongly recommends that it be published at the earliest possible data. For his unselfish work on the *Directory*, The Advisory Committee believes Dr. Bush has performed a great service for which the Association owes him a great debt."

The executive director pointed out that if this material already on hand for use in the *Directory* is kept up-to-date, it will be much easier to publish the next edition. Mr. Truman suggested that the staff be encouraged to keep this material up-to-date now, and Mr. Redford recommended that at its meeting next year the Council consider the publication of a new edition in 1955.

President Herring asked whether the Council would approve the action of the Executive Committee at its meeting on August 26, that steps be taken to see that a volume on election statistics is published. The project was designed during the year by a committee composed of: Samuel J. Eldersveld, University of Michigan; Alexander Heard, University of North Carolina, V. O. Key, Jr., Harvard University; Allen Manvel, Bureau of the Census; Richard M. Scammon, Department of State; Richard C. Spencer, Coe College; and David B. Truman, Columbia University. Mr. Truman suggested a few changes in the budget set up for the project. It was moved by Mr. Rossiter that the Council give the project its warm approval. The motion was seconded and passed unanimously.

The project designed by the Association's subcommittee on comparative public administration was reviewed. Mr. Greene moved that this report be referred to the Executive Committee for further exploration. The motion was seconded by Mr. Gaus and the motion carried.

Mr. Elsbree, the managing editor of THE AMERICAN POLITICAL SCIENCE REVIEW, reported that approximately two-thirds of the space in the REVIEW is now devoted to articles. He expressed his appreciation to the members of the Board of Editors and to other members of the Association for assistance in reading and evaluating manuscripts. The number of manuscripts received has been very high and the distribution with respect to different fields of the profession has been good. The editor noted that the cost of printing for the past year was somewhat higher than anticipated, due in part, however, to substantial increases in advertising and in the number of copies of the REVIEW ordered. He also noted that more and more tabular material is being included in the articles. Mr. Elsbree presented to the Council for reappointment the same Board of Editors: associate editors—V. O. Key, Jr., and James L. McCamy; other members of the Board—Taylor Cole, Henry Ehrmann, Harvey C. Mansfield, Herman Pritchett, and Francis O. Wilcox; It was moved by Mr. Rankin and seconded by Mr. Truman that all of them be reappointed. The motion was carried. The editor also noted that the following will continue as editorial associates: book review editor—Emmette S. Redford; news and notes editor—Albert L. Sturm; section bibliography editors—Franklin L. Burdette, William H. Roberts, H. Arthur Steiner, Francis G. Wilson, and Herbert A. Simon.

The Council adjourned at 12:10 P.M. for luncheon and reconvened at 1:45 P.M.

The Council considered the revised Constitution of the Association, as prepared by the Committee on Style. This committee was authorized at the Council meeting in Buffalo. Appointed by President Herring, it consisted of Harvey C. Mansfield, chairman, John D. Millett, President Herring, and Edward H. Litchfield. The revised Constitution was circulated to all department chairmen, suggestions were solicited, and at its meeting on August 26, 1953 the Executive Committee of the Association examined the three suggestions received from members, and endorsed the report of the Committee on Style for action by the Council, and for further recommendation of the Council to the Business Meeting of the Association. Mr. Litchfield pointed out the four areas in which the Council members had expressed uncertainty at the 1952 meeting. These have been amended in the present version to: (1) include the managing editor of the REVIEW as a member of the Executive Committee; (2) select the two appointed members on the Executive Committee from the elected or *ex officio* members of the Council; establish two new offices, secretary and treasurer; reduce the number of elected Council members from 16 to 12 in order that the Council might be able to meet at least a month prior to the annual meeting to prepare the agenda for the regular Council meeting.

After some discussion as to a more appropriate title for the treasurer, the method of selecting a secretary and a treasurer, and the desirability of reducing the number of Council members, Mr. Redford moved that the number of elected members of the Council remain at 16. The motion was seconded by Mr. Fellman and carried.

Mr. Gaus suggested that under Article III, *5*, last sentence, three words, "the annual meetings," be dropped, so that the sentence reads "All members, upon payment of such registration fee as the Council may approve, shall be entitled to attend and to participate in the Annual Business Meeting of the Association."

Mr. Aikin moved that the Council approve this draft of the Constitution with the two amendments mentioned above, and recommend its adoption at the Annual Business Meeting. President Herring presented the motion to the Council members and it was carried.

The President then introduced the subject of the Association's committees for consideration. He read the following general policy guide which was suggested by the Executive Committee at its meeting on August 26:

"1. Committees should be established when they are needed to: identify significant problems in need of further study; or, design research projects to be undertaken by the Association; or, obtain representative professional opinion in the conduct of its research projects.

"2. Administration of research and related projects is most effective when assigned to: a project director functioning with professional freedom and discretion under broad administrative direction of the Executive Director; or, the Governmental Affairs Institute as an operational adjunct of the Association; or, an educational institution or responsible research agency which is not a part of the Association, but which has clearly established competence in the field in question.

"3. In developing its future program and in conducting its specific central office activities, the Association should confine its efforts primarily to matters which: facilitate the research, teaching, or administrative work of individual political scientists or educational institutions; or, assist in the identification and development of new areas of political science; or, promote more effective communication within the profession; or, elevate the stature of political science and its acceptance in the world of scholarship and public affairs. Only when the nature or the immediacy of the problem, or the requirement of facilities is beyond the control of individuals and institutions, shall the Association undertake a substantive research project."

President Herring commented that if this policy were approved by the Council, the projects for design must be selected carefully in order to stay within the $5,000 project design fund and to be certain that there were not many carried over from year to year in an unfinished state.

Mr. Aikin made a motion to accept the above statement as the Association's policy in establishing committees. The motion was seconded by Mr. Ferguson and carried.

The reports of the standing committees were reviewed briefly by President Herring. The report of the Committee on the Advancement of Political Science Teaching was discussed and it was decided that in light of the policy on committees just adopted, this committee should not be continued.

Mr. Jones, as a member of the Roosevelt Award panel this year, noted that there should be a more systematic way of seeing that all relevant books published each year are called to the attention of the awards panels, even if only by title. President Herring suggested that this suggestion, along with the recommendations made by Mr. Millett in his report, be transmitted to the new Committee on Awards to be appointed by Mr. Bunche. Mr. Redford felt that writing only to publishers for submission of books brought very inadequate results. It is difficult for publishers to determine to which panel to submit books. He added that the awards should be "for the best book of a given year," and not "for the best book submitted by publishers." It was agreed that the question would be referred to the Executive Committee for suggestions to be made to the new Committee on Awards.

The report of the Committee on Nominations was noted and accepted unanimously for submission to the Annual Business Meeting.

Mr. Greene expressed concern with the tendency to extend to universities security regulations similar to those of the federal government. He asked whether the Association could make a statement or establish a point of view on this matter. Mr. Truman suggested that this was a proper subject for the Executive Committee to study. Mr. Bunche concurred that the subject merits further consideration. President Herring therefore asked that the subject be put on the Executive Committee's agenda.

The Council considered the resolution of the Western and the Pacific Northwest Political Science Associations that the American Political Science Association hold its annual meeting in 1956 and each fifth year thereafter in one of the eleven Western states. There was no doubt in the minds of the members as to the desirability of holding meetings in the West, but they felt it unwise to spell out an agreement to meet anywhere at any particular interval. Mr. McHenry was not inclined to offer a motion on this, but indicated that they will come back from time to time with warm invitations to brave the rigors of the West. President Herring expressed appreciation on behalf of the Association members for the warm hospitality from the West.

Mr. Greene raised the question as to the time of year of future meetings, and Mr. Litchfield reminded Council members that it was decided at the 1952 Annual Business Meeting to poll the membership after the 1953 meeting on this issue. The Council will then be polled as to the place of meeting in 1955.

The Executive Committee, at its August 26 meeting, nominated V. O. Key, Jr. as the Association's representative on the Social Science Research Council for a three-year term. President Herring presented this notion to the Council and it was carried unanimously.

The President presented the following resolution to the Council, which was adopted by unanimous vote:

"The Council of the American Political Science Association wishes to express its deep appreciation for the splendid collaboration of The Brookings Institution in the completion of the study, 'Presidential Nominating Politics in 1952.' The services of Dr. David were of utmost importance, and the continued support of the Institution's President, Dr. Robert D. Calkins, was of very great assistance. Without Brookings' assistance it would have been difficult to have achieved the quality of research which has now been obtained."

The following resolution, also presented to the Council by President Herring, was adopted unanimously:

"Recognizing the tremendous growth of the political science profession in recent years, and the manifest need of a focal point for the profession's activities, the Council of The American Political Science Association wishes to express its approval and appreciation of the action of an anonymous fund in granting $12,500 to the Association's affiliate, the Governmental Affairs Institute, as an initial contribution to a fund to be used for the purchase of a building to be known as 'The Political Science Building,' which would provide offices for this Association."

Mr. Litchfield read a letter from Rodney L. Mott, who is now in Australia on a Fulbright research grant, in which he indicated that Australia is trying to establish an Australian Political Studies Association and that he would be most appreciative of any encouragement The American Political Science Association could give. All members were most enthusiastic and it was agreed that a letter of encouragement would be written by the incoming President.

Mr. Odegard spoke for the Council of the Association in appreciation of the time, energy, imagination, intelligence, and personal sacrifice which the Executive Director had put into the establishment of the Washington Office of the Association.

The Council adjourned at 5:50 P.M.—EDWARD H. LITCHFIELD, Executive Director.

Minutes of the Annual Business Meeting

The Annual Business Meeting of the American Political Science Association was called to order at 4:45 P.M. in the Presidential Ball Room of the Hotel Statler, Washington, D. C., on Friday, September 11. President Pendleton Herring first outlined the order of business. Reports to the membership, which were available for distribution, were reviewed under three headings: finances, functions, and the structure of the Association. They had previously been discussed at all-day meetings of the Executive Committee on August 26 in New York City and at the meeting of the Council on September 9 in Washington, D. C.

President Herring paid tribute to the work of Mr. Edward H. Litchfield, who that day concluded his three-year term of service to the Association, and announced that the Council had appointed Mr. John Gange, as executive director, and Mr. Kenneth Hechler, as associate director, to carry on the work of the office.

Mr. Litchfield summarized the financial report he had previously submitted to the Council. He pointed out that in the last three years the revenues have increased more than 100%; likewise, the endowment and trust fund has increased from approximately $24,000 to nearly $40,000. The size of the organization has increased more than 25%—from 5,002, three years ago, to 6,280 members now. The executive director emphasized that this improved position of the Association will now enable it to maintain its program out of current resources. He advised the meeting that the Council had adopted the 1953–54 budget of $122,125.97, but that this estimate might be considerably exceeded if several likely possibilities of assistance materialized. In addition, the Council had instructed the incoming Treasurer to prepare a long-term plan for development of new financial resources and the investment of current endowment funds on a long-term basis.

President Herring commented that no definite plan could be worked out in advance for projects to be undertaken, but that opportunities must be taken when they arise. He then summarized a statement of seven basic functions now performed by the Association, which had been drafted by the executive director and approved by the Council. (See the Council Minutes.)

President Odegard then read a letter of appreciation from the four presidents of the Association who had worked with Mr. Litchfield as executive director, and Professor Holcombe presented a resolution to the same effect, which was adopted unanimously.

Mr. Hugh L. Elsbree, the managing editor of the AMERICAN POLITICAL SCIENCE REVIEW, reported briefly. He had no new policies to propose but had attempted, during the year, to maintain previous policies and standards. He expressed appreciation to members of the Board of Editors for their assistance during the past year and announced their reappointment for the coming year, as approved by the Council on September 9.

President Herring turned to problems of structure within the Association's organization. The Executive Committee and Council at their meetings considered a clarification of policy with reference to committees, and the executive director was asked to present their conclusions, as voted by the Council.

Mr. Litchfield read the general policy guide for the establishment of committees which was adopted by the Council on September 9, and added that the Council on that date decided to accept the reports of the existing subject matter committees and discharge these committees. (For the text, see the Council Minutes.)

President Herring reviewed the history of the Association's constitutional revision—the appointment of the Committee on Organization by President Gulick in 1951 and the decision of the Council on August 25, 1952, in Buffalo, to authorize President Herring to appoint a Committee on Style, consisting of Harvey C. Mansfield, chairman, John D. Millett, and Edward H. Litchfield, to reconcile the various proposals of Council members with the report of the Committee on Organization. After a meeting with President Herring a redraft of the Constitution was circulated to members of the Executive Committee, the Council, and chairman of departments of political science, in time for circulation and consideration in advance of the 1953 annual meeting. He noted two minor changes the Council had made on September 9, and reported the Council's recommendation that the Business Meeting approve the draft as so altered. Professor Quincy Wright moved that the Constitution as amended be adopted. The motion was seconded by Professor Dean McHenry and carried unanimously.

Mr. Litchfield read two resolutions adopted by the Council on September 9, expressing appreciation to The Brookings Institution for their collaboration in the completion of the study of Presidential Nominating Politics, and expressing approval and appreciation to an anonymous fund for the initial contribution to a Political Science Building Fund.

President Herring asked for the report of the Committee on Nominations. In the absence of Professor Joseph P. Harris, its chairman, Professor George Graham explained the procedure the Committee had used in selecting the nominees, and placed the following slate of officers in nomination: President-Elect—Charles McKinley, Reed College; Vice-Presidents—Taylor Cole, Duke University; J. A. C. Grant, University of California (Los Angeles); Claudius O. Johnson, State College of Washington; Secretary—Harvey C. Mansfield, The Ohio State University; Treasurer—Edward H. Litchfield, Cornell University; new members of the Council for a two-year term—Manning J. Dauer, University of Florida; Earl Latham, Amherst College; Arnaud Leavelle, Stanford University; Dayton D. McKean, University of Colorado; J. Roland Pennock, Swarthmore College; C. Herman Pritchett, University of Chicago; Wallace S. Sayre, College of the City of New York; Dwight Waldo, University of California (Berkeley). Professor Denys P. Myers moved that the slate of officers presented by the Committee on Nominations be elected by a single ballot. The motion was seconded by John Manahan and carried.

President Herring turned the chair over to incoming President Bunche. President Bunche then invited President-Elect McKinley to join them on the platform. After brief remarks by the new president the 1953 Business Meeting adjourned at 6:20 P.M.

Approved: HARVEY C. MANSFIELD
Secretary

THE CONSTITUTION OF THE AMERICAN POLITICAL SCIENCE ASSOCIATION, 1953

ARTICLE I: NAME

This Association shall be known as The American Political Science Association.

ARTICLE II: OBJECTS

1. It shall be the purpose of this Association to encourage the study of Political Science, including Political Theory, Political Institutions, Politics, Public Law, Public Administration and International Relations.

2. The Association as such is non-partisan. It will not support political parties or candidates. It will not commit its members on questions of public policy nor take positions not immediately concerned with its direct purpose as stated above.

ARTICLE III: MEMBERSHIP

1. Annual Members. Any person sharing the objects of this Association may become a member upon payment of ten dollars and thereafter may remain such by paying the annual dues of ten dollars.

2. Life Members. Any person paying dues of two hundred fifty dollars in a lump sum, or in instalments spread over not more than ten years, shall become a Life Member of this Association, and thereafter be exempt from further dues.

3. Student Members. Any graduate or undergraduate student registered in a college or university may become a Student Member of this Association upon payment of four dollars and may remain such while he is so registered, by paying annual dues of four dollars.

4. Family Members. Another person in the family of a member may become a Family Member upon payment of two dollars, and may remain such as long as there is another Association member in the family, by paying annual dues of two dollars.

5. Privileges of Members. Each member, other than a Family Member, shall be entitled to a copy of each number of THE AMERICAN POLITICAL SCIENCE REVIEW issued during his membership. All members, upon payment of such registration fee as the Council may approve, shall be entitled to attend and to participate in the Annual Business Meeting of the Association.

ARTICLE IV: OFFICERS

1. The officers of the Association shall be a President, a President-Elect, three Vice-Presidents, a Secretary, a Treasurer, and sixteen elected members of a Council, all of whom shall be elective officers and who shall represent the Association in its corporate capacity. In addition there shall be an Executive Director of the Association, a Managing Editor of THE AMERICAN POLITICAL SCIENCE REVIEW and such other appointive officers and committees as are hereinafter provided for.

2. The elective officers, together with the Executive Director, the Managing Editor and the Chairman of the Program Committee, shall constitute the Council of the Association. Ex-Presidents of the Association, and upon invitation of the President the chairman of any committee of the Association and nominees to the next year's Council, may attend meetings of the Council and participate in its discussions but have no vote.

3. The President, the President-Elect, the Executive Director, the Managing Editor, the Chairman of the Program Committee and two other Council members designated annually by the President, shall constitute the Executive Committee of the Council.

ARTICLE V: ELECTIVE OFFICERS

1. The elective officers, except the President, shall be chosen by a majority vote of the members of the Association attending the Annual Business Meeting, a quorum being present. The President-Elect shall automatically succeed to the office of President upon the completion of the President's term, or upon the occurrence of one of the contingencies provided for in section 3 of this Article. The terms of elective officers, except members of the Council, shall extend for one year, viz., from the end of the program of one annual meeting to the end of the next. The terms of members of the Council shall extend for two years, similarly calculated, and one-half shall expire each year.

2. After each annual meeting the President shall appoint, with due regard to geographical distribution and the fields of professional interest, three members to a Nominating Committee of six, to serve for two-year terms; and he shall designate the chairman. The Committee may canvass the membership directly or indirectly for suggestions, and shall submit to the next Annual Business Meeting one nomination for each elective office to be filled, except the Presidency. These nominations shall be announced to the membership, by any convenient means, well in advance of the annual meeting. Additional nominations, sponsored by at least 10 members of the Association, may be offered from the floor at the Annual Business Meeting, upon 24 hours' advance notice to the Secretary.

3. In case of the death, resignation or inability of the President to perform the duties of his office, the President-Elect shall immediately succeed him and shall be president for the remainder of the term unless that is less than four months, in which case he shall serve out the unexpired term and one additional year.

In case of an interim vacancy in the office of President-Elect, the Nominating Committee shall forthwith proceed to nominate and the Council shall elect a new President-Elect to serve until the end of the next annual meeting. Actions to fill a vacancy may in case of need be taken by mail, telegraph or telephone, without a meeting. At the next Annual Business Meeting the Association shall confirm the Council's action by electing the President-Elect to the office of President, or instead may elect another member as President, or may take such other action as in its discretion the situation may require, to the end that there shall be in office at all times both a President and a President-Elect.

The Council may fill any interim vacancy in its elective membership until the end of the next annual meeting.

4. The elective officers, except the Secretary

and the Treasurer, shall be ineligible to succeed themselves in office. After a lapse of two years a former member of the Council may be elected to another term.

ARTICLE VI: APPOINTIVE OFFICERS

1. The Executive Director of the Association and the Managing Editor of THE AMERICAN POLITICAL SCIENCE REVIEW shall be appointed by the Council, after it hears the recommendation of the President. They shall have terms to be fixed in each case by the Council; and they shall be eligible for reappointment.

2. There shall be a Board of Editors of THE AMERICAN POLITICAL SCIENCE REVIEW to assist the Managing Editor, and the Council may determine its size, method of appointment and tenure.

3. The Council, or the Executive Committee, may establish other offices, boards and committees, as the business of the Association may require, define their tasks and powers, and fix their terms and methods of appointment.

ARTICLE VII: MANAGEMENT OF ASSOCIATION AFFAIRS AND DUTIES OF OFFICERS

1. The highest authority for deciding the policies and managing the affairs of the Association is the membership of the Association duly assembled in the Annual Business Meeting, or in a special meeting duly called. It enacts and amends the Constitution, elects the elective officers, resolves policy questions brought to it, and may confirm, revise or repeal the action of the Council, the Executive Committee or any officer. One hundred members shall constitute a quorum of the Association, and a majority vote of the members in attendance shall control its decisions. The Association shall meet annually at a time and place designated by the Council. The Council and the officers shall make every effort to acquaint the members with the business of the Association and with the issues involved in the agenda of the Annual Business Meeting, and to provide sufficient time at business meetings for deliberations and decisions.

2. Subject to the foregoing, the Council shall be the governing body of the Association and have general charge and supervision of its business and interests in accordance with this Constitution. The Council shall meet once a year before the Annual Business Meeting, and oftener in its discretion or on call of the President. Nine members shall constitute a quorum and a majority vote of the members in attendance shall control its decisions. The Council may call special meetings of the Association. It shall receive reports of all officers and committees; adopt the budget and appropriate money; and give its recommendations upon all questions (except the election of officers) to be presented to the Annual Business Meeting. It shall receive an annual audit of the Association's accounts. It may give direction to officers and committees, and adopt rules for the regulation of the Association's business. In the event of an emergency which prevents the holding of the Annual Business Meeting, the Council may exercise all the powers of the Association, including the election of officers.

3. Within limits prescribed by the Council, and consistently with this Constitution, the Executive Committee may exercise the powers of the Council when the Council or the Annual Business Meeting is not in session. It shall meet on call of the President, and he shall report its actions to the Council.

4. The President shall preside at business meetings of the Association, the Council and the Executive Committee. Except as may be otherwise provided, he shall appoint all committees of the Association. He shall see to it that the business of the Association is faithfully transacted.

5. The Secretary shall approve and have custody of the minutes of business meetings of the Council and of the Association; and he shall report the actions of the Council to the Annual Business Meeting.

6. The Treasurer shall review and approve the arrangements for the receipt, custody and disbursement of Association funds, and for keeping the Association's accounts. He shall arrange for the annual audit, and present the auditor's report to the Council. He shall report the Association's financial condition to the Annual Business Meeting. He shall review the Association's investments and make recommendations of investment policy to the Council. He shall seek to advance the interests of the Association in adding to its financial resources.

7. The Managing Editor of THE AMERICAN POLITICAL SCIENCE REVIEW shall edit and publish THE REVIEW, with the advice and assistance of the Board of Editors, and report its affairs to the Council.

8. The Executive Director shall be the chief executive officer of the Association and transact its business. He shall have charge of the central office of the Association. He shall formulate plans and policies for the ac-

complishment of the Association's objectives, and upon the approval of the Council or the Executive Committee shall be responsible for their administration. All appointive committees shall look to him for advice and assistance in their work. He shall have custody of the Association's funds, discharge its obligations and maintain its accounts. He shall make an annual report to the Council and consult with the President as questions of policy currently arise.

9. A Program Committee shall be responsible for preparing the professional program of the annual meetings of the Association. A Committeee on Local Arrangements shall be responsible for assistance with accommodations and entertainment for members attending the annual meetings.

10. Other committees may be created, for stated periods and stipulated assignments. They shall report to the Council and thereupon be discharged. Unless specifically approved by the Association or the Council for that purpose, their reports shall not be deemed to state the views of the Association nor commit it in any way.

ARTICLE VIII: RESOLUTIONS

All resolutions shall be referred to the Council for its recommendations before submission to the vote of the Association at its Annual Business Meeting. Notice of this provision shall be given to the members of the Association in advance of the annual meeting.

ARTICLE IX: AMENDMENTS

Amendments to this Constitution shall be proposed by the Council and adopted by a majority vote of the members present at any regular or special meeting of the Association.

Ten members of the Association may propose amendments to this Constitution. Such proposed amendments shall be referred to the Council for consideration, and by them referred to the Association for its action thereon at the next Annual Business Meeting with such recommendations as the Council may see fit to make.

The quarterly meeting of the Southern California Political Science Association was held on July 24 in Los Angeles at the University of California. Professor Carl Brent Swisher, of the Johns Hopkins University and visiting professor during the summer session at the Claremont Graduate School, spoke on the topic, "What is Wrong with the Supreme Court?"

The following officers were elected for 1953–54: president, Dean E. McHenry, University of California (Los Angeles); secretary-treasurer, Kenneth W. Grisingher, Pepperdine College; executive committee, Luther Lee, Jr., acting dean of the Claremont Graduate School; J. W. Robinson, Whittier College; Raymond McKelvey, Occidental College; Robert L. Morelan, Redlands College. The outgoing president and secretary-treasurer were, respectively, Carlton C. Rodee, University of Southern California, and R. F. Reath, Occidental College.

A Conference on Citizenship Participation in Politics was held at the University of California (Berkeley), in cooperation with the Citizenship Clearing House, on April 10–11, 1953. The Conference, organized under the direction of Professor Peter H. Odegard, chairman of the political science department, was attended by 110 participants on invitation. The Conference was addressed by Dr. Thomas H. Reed, consultant to the Citizenship Clearing House, Professor Dean McHenry, of the political science department, University of California (Los Angeles), and by Professor Robert Walker, of the department of political science, Stanford University. In addition to the three addresses, four panels discussed phases of the general question of how to improve education for political participation. The Conference brought together political science teachers from Northern California colleges and universities and representatives from state and local government, from the Democratic and Republican parties, and from a number of active civic groups.

A Conference on Ethics in Government was held at the University of California (Berkeley) on May 10–11, 1953, under the joint sponsorship of the School of Law and the department of political science. Thurman Arnold was the speaker at the opening session. Three seminar sessions were devoted to the following topics: "The Influence of Legislators on Ethical Standards in Government," "Ethical Standards in the Executive Agencies," and "Who Are Responsible for Improving Ethical Standards in Government?"

On June 19–20, 1953, a conference was held at the University of Michigan under the auspices of the Institute of Public Administration in order to explore problems of cooperative research into comparative civil-military relations. The development of appropriate hypotheses and research methodology was considered for the comparative analysis of the United States with a number of countries including the USSR, Great Britain, Germany, and France. In attendance were Professor Louis Nemzer, department of political science, the Ohio State University; Professor Samuel Huntington, department of government, Harvard University; Dr. Kurt Lang, department of sociology, University of Chicago; Mr. Maury Feld, Bureau of Applied Social Research, Columbia University, and, from the University of Michigan, Professor James K. Pollock, Professor Morris Janowitz, and Mrs. Elizabeth Marvick. Copies of the working papers for the conference, "The Professional Soldier and Political Power," are available on request to Morris Janowitz, University of Michigan.

The twelfth annual meeting of the Midwest Conference of Political Scientists will be held at the University of Iowa, April 29 through May 1. Program suggestions may be sent to David Fellman, University of Wisconsin, chairman of the program committee.

OTHER ACTIVITIES

After more than three years of activity, the Historical Division of the Office of the U. S. High Commissioner for Germany was terminated on June 30, 1953. The Division was first headed by Professor Harold Zink of Ohio State University and then by Professor Roger H. Wells of Bryn Mawr College. The other American professional staff members were Elmer Plischke, Hubert G. Schmidt, Guy A. Lee, Rodney C. Loehr, Henry P. Pilgert, J. F. J. Gillen, Beryl R. McClaskey, and Anna E. Brauer. The Division completed thirty-eight monographs and documentary collections, most of which have been published. The monographs are in some cases administrative histories of United States and Allied agencies in Germany; in other instances, they are analyses of postwar German political, economic, and social problems and institutions. Further information about the publications may be obtained from G. Bernard Noble, chief of the Division of Historical Policy Research, Department of State, Washington, D. C., who planned and had general supervision of the project.

During the last few years, political philosophy has had a noticeable renaissance, not only in the form of scholarly research, but also in the form of increased teaching in the universities. This heightened interest has led to the establishment of an International Institute of Political Philosophy designed to bring together scholars with varying approaches to the problems of political philosophy and to provide an opportunity for them to exchange views and to profit from each other's studies.

The new Institute was created by eighty founding members representing many countries. George Davy, Dean of the Faculty of Letters of the University of Paris, was named president in recognition of the distinguished tradition of French political philosophy. Vice-presidents were designated from seven countries as follows: P. Bastide, Jean Maritain, B. Mirkine-Guetzevitch, J. Sarrailh, A. Siegfried (France); A. Babel (Switzerland); P. Calmon (Brazil); C. Friedrich (United States); S. de Madariaga (Spain); L. Sturzo (Italy); and P. van Zeeland (Belgium). Other members of the board of directors include: Raymond Aron, J. J. Chevallier Maxime-Leroy, M. Prelot, and J. Rueff (France); H. Kelsen and R. McKeon (United States); and F. Battaglia (Italy). R. Polin was made secretary general and A. Blondeau and Z. Zedryka were named deputy secretaries general. Members of the board of directors composing the executive committee are: G. Davy, president; B. Mirkine-Guetzevitch, executive vice-president; and R. Polin, secretary general. Headquarters of the Institute will be at the Sorbonne in Paris.

The Institute has taken for its first field of inquiry the concept of power, and, more narrowly, the concept of sovereignty, as well as the doctrine constructed to treat these problems. This inquiry will form the subject of the first meeting of the Assembly of the Institute and of the first volume of its *Annals.*—Raymond Polin.

The department of political science at Vassar College is sponsoring a series of lectures during the present academic year on the general theme, "Reflections on the Twentieth

Century Political Order." The speakers will include T. V. Smith, Herbert Agar, Richard H. Rovere, and Philip Jessup.

The political science department of the University of Wisconsin Extension Division offered an experimental correspondence course in American government during the fall. The course was given through several correspondence study centers in various parts of the state, where the students came periodically to hear a series of recorded lectures and to view several films supplementing the material contained in the textbook and outside readings. Lectures recorded by Professor David Fellman were the central feature of the new course.

The Maurice and Laura Falk Foundation of Pittsburgh has granted $94,000 to the Citizenship Clearing House, which is affiliated with the Law Center of New York University. The grant will make possible the expansion throughout the country of the Citizenship Clearing House program designed to encourage and train young college men and women for active participation in politics. Eight units have been established in various sections of the country to promote liaison between political parties and education units of each area. States or areas with local affiliates and their institutional headquarters are: Maine, Bowdoin College; Oregon, Willamette University; Connecticut, Wesleyan University; Minnesota, University of Minnesota; Missouri, Washington University; Kansas, University of Kansas; Michigan, Michigan State College; and Southern New York State, New York University.

The current Citizenship Clearing House expansion with autonomous regional units continues a nationwide program begun during the past year under an earlier grant from Falk Foundation funds. The program will include the sponsorship of three summer workshops—one in the Pacific Northwest, one in the Midwest, and one in the New England area. Young teachers of political science will be invited to study the more effective techniques for stimulating college graduates to active political participation. In addition, week-end conferences on the subject will be held in cooperation with local educational institutions of more than a dozen states. Conferees are to include college administrators, political leaders, and political scientists, who will study the means of attracting students into the political party of their choice, on a nonvocational basis, following their graduation. The Falk grant will also enable the Citizenship Clearing House to provide consultative and field service to educational institutions interested in examining new methods of encouraging more realistic preparation for political participation.

Three $4000 post-doctoral fellowships in statistics are being offered for 1954–55 by the University of Chicago. The purpose of these fellowships, which are open to holders of the doctor's degree or its equivalent in research accomplishment, is to acquaint established research workers in the biological, physical, and social sciences with the role of modern statistical analysis in the planning of experiments and other investigative programs, and in the analysis of empirical data. The development of the field of statistics has been so rapid that most current research falls far short of attainable standards, and these fellowships (which represent the fourth year of a five-year program supported by The Rockefeller Foundation) are intended to help reduce this lag by giving statistical training to scientists whose primary interests are in substantive fields rather than in statistics itself. The closing date for applications is February 15, 1954; instructions for applying may be obtained from the Committee on Statistics, University of Chicago, Chicago 37.

During the past summer, Professors Emile B. Ader and W. V. Holloway, of the University of Tulsa, were employed by the Stanolind Oil and Gas Company to participate in a civic education program dealing with problems of state and local government for employees of the organization.

William M. Beaney, assistant professor of politics at Princeton, devoted a part of the summer to field research in judicial administration, aided by a grant from the Princeton University Research Fund.

For his international contributions in the field of municipal government, Paul V. Betters, Executive Director of the United States Conference of Mayors, was recently decorated with the Legion of Honor (France) and the Commander's White Cross of the Order of the Lion (Finland).

Roy G. Blakey, of the University of Minnesota, has been requested by the University of Ankara and the U. S. State Department to continue as professor of public finance with the University through 1953–54. This assignment involves also certain services to Turkish and United States ministries and agencies with which the University of Ankara cooperates.

Alfred G. Buehler, of the University of Pennsylvania, has been chairman of a tax study committee appointed by Pennsylvania's Governor Fine. On May 29, the committee presented to the Governor a 320-page report entitled "The Tax Problem." The report embodied the results of a comprehensive investigation of the tax situation in the State.

R. Taylor Cole, who has returned to his duties as professor of political science at Duke University after spending a year in Italy as Fulbright Professor, is one of thirteen scholars recently designated as James B. Duke Professors. The professorships were established when the Duke Endowment gave the University $1,500,000 to begin an endowed professorship fund.

Robert H. Connery, of Duke University, served during the summer as consultant to the Secretary of the Navy in preparing the Secretary's annual report.

During the spring of 1952–53, William Ebenstein, professor of politics at Princeton University, spent eleven weeks as a Ford Fellow in Mexico and Central America doing research on recent institutional and ideological developments in the area.

Ernest S. Griffith, director of the Legislative Reference Service, Library of Congress, attended the Aspen Institute for Humanistic Studies at Aspen, Colorado, August 9–23, as a participant in round-table discussions on the theme, "The Promise of American Life."

Harold F. Gosnell was granted leave of absence by American University to study the Philippine national elections.

Earl Hanson, of the department of political science at Duke University, served during the past summer as director of the special Orientation School conducted by Duke University for Fulbright scholars from abroad. This was the third such program carried out by Duke and was attended by scholars from eighteen different nations.

Samuel Hendel, professor of government at the City College of New York, has been awarded a Ford Foundation fellowship for further study of Russian government and politics and will spend the next academic year studying at the London School and at other European centers of learning.

John Herz, of the City College of New York, spent the summer in Germany and other parts of Europe on a research project for the Rand Corporation.

George A. Lanyi, of Oberlin College, spent the past summer on a State Department assignment in Germany as a specialist lecturing widely on topics related to American foreign policy and the United Nations.

Alpheus Thomas Mason, McCormick Professor of Jurisprudence, Princeton University, was one of five American professors who spent the summer in Japan participating in the American Studies Seminar at the University of Tokyo. Besides conducting the seminar in American ideas and institutions, Professor Mason gave a public lecture entitled "Can Reason Conquer Fear?"

Robert S. Rankin, chairman of the department of political science at Duke University, was visiting professor at the summer session of Columbia University.

Edwin Rothman, a senior staff member of the Philadelphia Bureau of Municipal Research, received the 1953 Certificate of Distinction of the Governmental Research Association for his *Report on the Philadelphia Municipal Pension Fund.* The award is made annually for the "most noteworthy piece of research prepared by a member of the Association."

Wallace S. Sayre, chairman of the department of government at the City College of New York, served during the summer as director of research of the special New York State Commission of the Government of New York City. In June, Professor Sayre participated in the management conference in Albuquerque sponsored by the University of New Mexico and the federal agencies with headquarters in Albuquerque.

Paul G. Steinbicker, chairman of the department of government at St. Louis University, was appointed by Governor Phil M. Donnelly as a member of the State Personnel Advisory Board for a term ending July 31, 1956.

Robert Strausz-Hupé was on leave of absence from the University of Pennsylvania for the first month of the fall term. He left for Europe on July 22, to visit Yugoslavia, Greece, and Turkey for purposes of observation and research. During October he presented a series of lectures on international relations at the University of Rome.

Samuel F. Thomas, of the City College of New York, served during the summer as research associate on the New York State Commission on the Government of New York City.

RESEARCH PROGRAM IN INTERNATIONAL COMMUNICATION

A research program in international communication has been established in the Center for International Studies, Massachusetts Institute of Technology, under a grant from the Ford Foundation. The program will continue for three years and is designed to clarify the role of international communication in the making of major political decisions in different parts of the world. Most of the research carried on will be overseas field work. Studies are being planned in Western Europe, India, and Indonesia, along with some smaller projects on Italian and Middle Eastern material.

The director of the program is Ithiel de Sola Pool, formerly of the Hoover Institute at Stanford University. The staff includes Daniel Lerner, also formerly at the Hoover Institute, Harold Isaacs, and Raymond Bauer (who will for the present also continue part-time at the Russian Research Center at Harvard University).

The research program is following lines laid down in a report prepared by a planning committee, the chairman of which was Hans Speier of the Rand Corporation. Others on the committee included Harold Lasswell, Wallace Carroll, Paul Lazarsfeld, Jerome Bruner, and Edward Shils. The planning committee report suggested that the program emphasize elite communications which have been far less studied than the mass media. It also recommended that studies be continued over a reasonable period of time to examine the process of change in political opinion. Furthermore, it recommended that in each of the studies opinion survey methods and psychological experimental methods be coupled with the established methods of historical and political research so as to get the maximum value out of each approach.

The major studies now planned all follow a parallel design. Intellectuals, business-men, political leaders, and other elite strata will be studied to ascertain the sources of their information on some key current issue, how the information affects their attitudes, and then, in turn, how they attempt to bring pressure to bear to achieve the desired policy.—Ithiel de Sola Pool.

APPOINTMENTS AND STAFF CHANGES

B. R. Abernethy has returned to his post as professor of government at Texas Technological College from a two-year leave of absence, during which time he served as chairman of the Regional Wage Stabilization Board with headquarters in Dallas.

James F. Adams is on leave of absence from Texas Technological College to continue graduate work at the University of Chicago.

Albert L. Alford has been appointed instructor of government and politics at the University of Maryland.

Richard G. Axt, who formerly taught at Brandeis University, has joined the National Science Foundation as Study Director for Research at Nonprofit Institutions.

Moreley Ayearst, associate professor of government at New York University, is spending the current academic year in the British West Indies on a Fulbright grant for research on politics in the colonies. He is associated with the University College of the West Indies, Kingston, Jamaica.

William B. Ballis, professor of political science and chairman of the Russian area program at the University of Washington, is on leave of absence until the fall of 1954 to serve as American advisor to the Institute for the Study of the History and Institutions of the USSR, now located in Munich, Germany.

Ruth Baumann has been promoted to the rank of assistant professor on the extension staff of the department of political science at the University of Wisconsin.

Walter F. Berns, who did work for the doctorate at the University of Chicago, has been appointed assistant professor of government at

Louisiana State University where he will offer courses in American government, American political theory, and political parties and elections.

George S. Blair, formerly of the University of Tennessee, has been added to the staff of the Institute of Local and State Government, University of Pennsylvania, with the rank of assistant professor.

Burton Brazil, who recently completed his doctorate at Stanford University, has accepted an appointment to teach public administration at San Jose State College.

MacAlister Brown, formerly of Harvard University, has accepted an appointment in the department of government at Dartmouth College.

Vincent J. Brown resumed his duties as associate professor of government at Howard University in September after two years' leave of absence with the Office of Civilian Defense.

Ralph J. Bunche has accepted a visiting lectureship in the School of Business and Public Administration at Cornell for the current academic year.

Norman Burns will be a visiting lecturer during the second semester in the Woodrow Wilson School of Foreign Affairs at the University of Virginia.

Edgar B. Cale, associate professor of political science at the University of Pennsylvania, has been granted a leave of absence in order to take a position with the Foreign Operations Administration as Educational Director for Thailand.

Earl Campbell, professor of public administration at San Jose State College, is on sabbatical leave during 1953–54 and is studying in Europe.

Alford Carleton, president of Aleppo College, has been appointed visiting professor of political science at the University of California (Berkeley) for the spring term, 1954.

C. W. Cassinelli, who received his doctorate from Harvard in June, has been appointed instructor in political science at Whitman College.

Waldo Chamberlin has been appointed acting chairman of the department of government of Washington Square College, New York University, to fill the vacancy created by Professor Ray F. Harvey's assumption of new duties in the University.

Mary Margaret Clarke, lecturer in political science at Bryn Mawr College, has been appointed assistant professor of political science in the Graduate School of Fordham University.

Virginia G. Cook, who received her doctoral degree from Columbia earlier this year, and has had several years of experience with federal agencies, has been appointed assistant professor of political science at the Ohio State University.

Elmer E. Cornwell is one of the newly appointed instructors in the department of politics at Princeton University.

Dean Cresap has been promoted to the rank of associate professor at San Jose State College.

Harry R. Davis, assistant professor of government at Beloit College, resumed his regular duties in September after a year's leave of absence on a Ford Foundation grant, spent at Columbia University and at Union Theological Seminary.

John A. Davis, formerly on the faculty of Lincoln University, has been appointed associate professor of government at the City College of New York.

Emmett E. Dorsey, acting head of the department of government at Howard University, has been named chairman of the division of the social sciences at that institution.

John T. Dorsey, formerly of the TVA and the University of Alabama, has been appointed instructor of political science at Michigan State College.

Edwin M. Duerbeck has returned to the Department of State, Bureau of Near Eastern, South Asian and African Affairs, following a two-year tour of duty with the Navy which included one year as consultant to the Bureau of Ordnance on the Controlled Materials Plan and the other on the Staff of the Navy Management Engineer, Office of the Under-Secretary of the Navy.

John Paul Duncan resumed his regular duties in September as associate professor of government at the University of Oklahoma after spending the preceding year on a Fulbright lectureship at Ibrahim University, Cairo, Egypt.

Clyde Eagleton has resigned as director of the Program of Studies in the United Nations and World Affairs at New York University in order to devote full time to teaching and research.

J. M. Edelman has returned to his position as associate professor of political science at the University of Illinois after a year spent in Austria on a Fulbright fellowship.

Rupert Emerson, of Harvard University, has been appointed visiting professor of political science at the University of California (Berkeley) for the spring term, 1954.

Wesley R. Fishel, assistant professor of political science at Michigan State College, returned in August after three months in the Far East, where he directed a special project for the Department of the Army.

R. Y. Fluno, associate professor of political science at Whitman College, has been designated chairman of the division of social sciences at that institution, effective September, 1953.

Guy Fox, associate professor of political science at Michigan State College, is the recipient of a Fulbright scholarship and is currently a visiting lecturer at Sophia University, Tokyo, Japan.

Sterling H. Fuller has been promoted to the rank of associate professor of government at Texas Technological College.

Herbert Garfinkel has accepted an appointment in the department of government at Dartmouth College.

Charles E. Gilbert, of Northwestern University, has been appointed instructor in political science at Swarthmore College.

Merrill R. Goodall, recently returned from a two years' stay in India where he was a visiting professor at Delhi University and an adviser to the Prime Minister of Nepal, is now executive director of the India Program at Cornell University.

Henry Goodnow, formerly of Columbia University, has been added temporarily to the staff of the Institute of Local and State Government at the University of Pennsylvania.

George A. Graham, of Princeton, is visiting professor of public administration at Columbia University during the winter session.

Ernst B. Haas has been promoted to the rank of assistant professor at the University of California (Berkeley).

Charles B. Hagan returned in September to his position as professor of political science at the University of Illinois after spending a year as intelligence research officer in the United States Department of State.

Hugh M. Hall, who last year served as research associate and part-time instructor at Duke University, has been appointed to an instructorship in the department of political science at that institution.

Charles Hamilton has been appointed assistant professor of political science at the College of the Ozarks.

Judd Harmon, who received the Ph.D. degree from the University of Wisconsin in June, has been appointed assistant professor of political science at Utah State Agricultural College.

Ray F. Harvey has been appointed director of the newly established University Office of the Budget of New York University. He will continue as head of the department of government in the Graduate School of Arts and Science, but has resigned as chairman of the department of government at Washington Square College.

Guy B. Hathorn has been appointed instructor of government and politics at the University of Maryland.

Waring Hopkins returned in September to his regular duties at Berea College after a leave of absence in Germany.

Horace V. Harrison has been appointed visiting assistant professor at Emory University for the academic year 1953–54.

Robert E. Hosack, chairman of political science in the department of social sciences at the University of Idaho, has been promoted to a full professorship.

Marian D. Irish has returned to her regular duties as head of the department of political science at the Florida State University after a year's leave of absence at Harvard University on a fellowship from The Fund for Advancement of Education.

Norman Jacobson has been promoted to the rank of assistant professor at the University of California (Berkeley).

William C. Johnstone, Jr., formerly Director of the Office of Educational Exchange, Department of State, and Deputy Administrator for Field Programs, International Information Administration, until his resignation last May, has been appointed visiting professor of American foreign relations at the School of Advanced International Studies, The Johns Hopkins University, Washington, D. C., for the academic year 1953–54.

Louis G. Kahle has been promoted to the rank of associate professor of political science at the University of Missouri.

Kazuo Kawai, a visiting lecturer for the past two years, has been appointed associate professor of political science at the Ohio State University to give courses in Far Eastern affairs. He spent the past summer in Tokyo.

S. M. Kennedy has been promoted to the rank of associate professor of government at Texas Technological College.

Majid Khadduri is serving as a visiting lecturer in the Woodrow Wilson School of Foreign Affairs at the University of Virginia during the first semester.

Joseph A. Kitchin, on sabbatical leave from Queens College, New York, is spending the year 1953–54 in Bangkok, Thailand, on a Fulbright grant. He is lecturing in international relations and comparative government at Chulalongkorn and Thammasat Universities in Bangkok, and doing research in international relations and law in South and Southeast Asia.

Joseph G. LaPalombara, who recently returned from a year of research study in Italy, has been appointed assistant professor of political science at Michigan State College.

Frederick H. Lawson, of Brasenose College, Oxford University, was a visiting professor of political science at the University of California (Berkeley) during the fall term.

Richard H. Leach resigned his position as assistant professor in the department of social science at the Georgia Institute of Technology and, since June 15, has been serving as staff associate of the Southern Regional Education Board in Atlanta.

Luther J. Lee is on leave of absence from Pomona College during the first semester serving as acting dean of the Claremont Graduate School. During the second semester he will be on sabbatical leave.

Gertrude Leighton, assistant professor of political science at Bryn Mawr College, has been awarded a Ford Foundation faculty fellowship for study and research in political science. She is on leave of absence during the current academic year.

George Lenczowski has been reappointed visiting associate professor of political science at the University of California (Berkeley) for 1953–54.

Albert Lepawsky, formerly of the University of Alabama, has been appointed professor of political science at the University of California (Berkeley).

Edward G. Lewis has returned to his position as associate professor of political science at the University of Illinois after a year spent in France on a Fulbright fellowship.

John D. Lewis has been designated chairman of the department of government at Oberlin College for a three-year term.

George A. Lipsky, assistant professor of political science at the University of California (Berkeley), is on leave of absence for 1953–54, and has been appointed a Fellow of the Council on Foreign Relations.

Leslie Lipson resumed his duties as professor of political science at the University of California (Berkeley) in September after a semester's leave of absence with UN-TAA in Brazil.

Gerard J. Mangone has been promoted to the rank of associate professor of political science at Swarthmore College.

George Manner, assistant professor of political science at the University of Illinois, is on sabbatical leave for the year 1953–54 to engage in research in the field of international law at The Hague.

Robert E. Martin, associate professor of government at Howard University, is on leave during the current academic year to study under a Faculty fellowship from the Ford Foundation.

Donald R. Matthews has been promoted from instructor to assistant professor in the department of government at Smith College.

Conrad L. McBride, doctoral candidate at the University of California (Los Angeles), has been appointed to an instructorship for the current year at Pomona College.

Stuart H. McIntyre, formerly an instructor at Moravian College, joined the staff of the department of government at the University of Oklahoma at the beginning of the fall semester as an instructor.

Theodore McNelly has been appointed instructor of government and politics in the European program of the University of Maryland.

Frank O. Miller, recently released from the Navy after service in the Far East, and now completing his doctoral dissertation at the University of California (Berkeley), has been appointed an instructor in the department of political science at the Ohio State University.

Robert S. Milne, lecturer at the University of Bristol, England, has been appointed a visiting lecturer at the Ohio State University for the current academic year, to give an introductory course in political science and lectures on comparative government.

A. C. Murdaugh, Rear Admiral, USN (retired), has been appointed a visiting professor in the Woodrow Wilson School of Foreign Affairs at the University of Virginia.

Lloyd D. Musolf, assistant professor of political science at Vassar College, taught in the Johns Hopkins University summer session.

F. W. Neuber, formerly instructor in political science at Whitman College, has accepted a position as assistant professor of political science at Central College, Iowa.

Mark Nuweld, recently of the Russian Research Center of Harvard University, has accepted a position as instructor in political science at Western Reserve University and will develop the field of comparative government with special reference to the Soviet Union.

Gerhart Niemeyer has resigned his position in the Department of State to accept a position with the Council of Foreign Relations in New York.

William E. Oden is on leave of absence from Texas Technological College to continue graduate work at the University of Indiana.

Emory E. Olson retired as dean of the School of Public Administration at the University of Southern California on September 1, 1953.

William C. Olson has accepted an appointment as assistant professor of government at Pomona College.

Alan Burr Overstreet, associate professor of government at Smith College, has been appointed Director of the Smith College Junior Year for International Studies in Geneva, Switzerland, for the year 1953–54.

Gene D. Overstreet, instructor in political science at Michigan State College, is in India studying Indian communism on a Ford Foundation grant.

Kimbrough Owen, who has been on leave for two years while serving as Director of Research of the Public Affairs Research Council of Louisiana, has resumed his duties at Louisiana State University.

Norman D. Palmer, professor of political science at the University of Pennsylvania, has returned to his regular post after serving for a year as Visiting Fulbright Professor of Political Science and International Affairs at the University of Delhi. In April and May, Professor Palmer participated in a Seminar in American Civilization, held in Darjeeling, India, which was organized by the United States Educational Foundation in India and partially financed by the Ford Foundation. Professor Palmer spent most of the summer in Europe, where he made a special study of the Council of Europe and other organizations of intra-European cooperation and of problems of coordination among various agencies of the United States government in the West European area.

Lawrence L. Pelletier, on leave as director of the Bureau for Municipal Research and as associate professor of government at Bowdoin College, has been appointed associate director of the Citizenship Clearing House, an affiliate of the New York University Law Center.

Clara Penniman has joined the extension staff of the department of political science at the University of Wisconsin.

Paul J. Piccard is serving as a visiting assistant professor of political science at the Florida State University during 1953–54.

C. Gordon Post, chairman of the department of political science at Vassar College, is studying in England during the present academic year. In his absence, Lloyd D. Musolf is acting as departmental chairman.

Nathaniel Preston, of Princeton University, is serving as a visiting instructor of political science at West Virginia University during 1953–54.

James Prothro has been promoted to an associate professorship in political science at the Florida State University.

Rouhollah Ramazani has been appointed instructor in the Woodrow Wilson School of Foreign Affairs at the University of Virginia for the second semester.

Henry Reining, Jr. became dean of the School of Public Administration, University of Southern California, on September 1, 1953.

James S. Roberts is serving as a full-time instructor in political science at the University of North Carolina during the current academic year.

Charles L. Robertson is one of the newly appointed instructors in the department of politics at Princeton University.

Edgar S. Robinson has been appointed to an assistant professorship on the faculty of the department of political science and public administration at the American University.

Victor Rosenblum, formerly lecturer in political science and recently with the Governmental Affairs Institute, Washington, D. C., has been appointed assistant professor of political science at the University of California (Berkeley).

Robert A. Rupen, holder of a pre-doctoral Social Science Research Council fellowship in Germany during 1952–53, has been appointed lecturer in political science at Bryn Mawr College.

Frank M. Russell, who retired in June, 1953 from the University of California (Berkeley), has been reappointed professor of political science for 1953–54.

Dankwart A. Rustow, assistant professor of politics at Princeton, is on a year's leave in the Near East where he is engaged in a research project on political conditions in Turkey, the Arab countries, and Israel, under the auspices of Princeton's Program in Near Eastern Studies.

Jamal Sa'd is a visiting instructor in the Woodrow Wilson School of Foreign Affairs at the University of Virginia during the first semester.

Robert Scalapino has returned to his position as associate professor of political science at the University of California (Berkeley) after a year of travel and study in the Far East.

Joseph A. Schlesinger, formerly of Wesleyan University, has been appointed an instructor in the department of political science at Michigan State College, effective in September, 1953.

Henry J. Schmandt, formerly of the University of Detroit, has joined the department of government at St. Louis University as assistant professor, to expand its offerings in the field of municipal government and administration.

Robert G. Scigliano assumed his new duties as instructor in political science at Michigan State College in September, 1953.

Andrew M. Scott, recently associated with the Mutual Security Agency, has accepted an appointment in the department of government at Dartmouth College.

Paul Seabury, of Columbia University, has been appointed assistant professor of political science at the University of California (Berkeley).

Kalman H. Silvert resumed his teaching duties in the department of political science at Tulane University after a year's study in Guatemala.

Allan P. Sindler, who recently received his doctoral degree from Harvard University, has been appointed research associate in the department of political science at Duke University.

David G. Smith, of the Johns Hopkins University, has been appointed instructor in political science at Swarthmore College.

Allan A. Spitz, assistant in the Governmental Research Bureau at Michigan State College, returned in August after three months in the Far East, where he participated in a special project for the Department of the Army.

Sam L. Swagert has been advanced to a full professorship at San Jose State College.

Samuel W. Swenson, who served on the staff of the department of government at the University of Oklahoma for the past thirty-four years, retired in June, 1953.

Carl B. Swisher, professor of political sciscience at the Johns Hopkins University, taught in the 1953 summer session at Claremont and received the honorary degree of Doctor of Letters from his alma mater, Pomona College.

Carl F. Taeusch, secretary of the Graduate Curriculum in Public Administration, returned to his duties at St. Louis University in September, after a year at the University of Ankara, Turkey, lecturing under a Fulbright fellowship.

Kurt P. Tauber has been appointed instructor in political science for 1953–54 at the University of Buffalo.

Robert B. Thomson has accepted an appointment as assistant professor of government at the University of Maine.

Vincent Thursby has been promoted to the rank of professor of political science at the Florida State University.

Paul D. Tillett has been appointed instructor in politics at Princeton University.

Donald T. Toussaint has been appointed instructor of government and politics in the European program of the University of Maryland.

Joseph O. Van Hook recently succeeded Elizabeth Peck (retired) as chairman of the department of history and political science at Berea College.

Hubertus J. van Mook, former Governor General of the Netherlands East Indies, is a visiting professor in the School of Business and Public Administration at Cornell University during the fall term.

William Vatcher has been advanced to an assistant professorship at San Jose State College.

Panayiotis J. Vatikiotis, who is completing his work for the doctorate in the School of Advanced International Studies, has been appointed an instructor in the department of government at Indiana University.

John A. Vieg resumed his duties as chairman of the department of government at Pomona College in September after spending the past year in Norway on a Fulbright appointment.

Dwight Waldo has been promoted to a full professorship at the University of California (Berkeley), and has returned to his duties after a year's leave of absence in Washington and England. During the summer, he participated in the Fulbright program conference on American studies at Oxford University.

David D. Warren, formerly of the Department of State, has been appointed instructor of political science at the University of Rhode Island for the year 1953–54.

Roger H. Wells, professor of political science and department chairman, has resumed his work at Bryn Mawr College after two years of service as chief of the Historical Division, Office of the U. S. High Commissioner for Germany.

William L. C. Wheaton, formerly chairman of the department of regional planning at Harvard, has resigned that position to accept an appointment as professor of city planning at the University of Pennsylvania.

Francis G. Wilson has been named chairman of the department of political science at the University of Illinois in accordance with the departmental policy of rotating the chairmanship.

Lloyd W. Woodruff has been promoted to an assistant professorship on the extension staff of the department of political science at the University of Wisconsin.

Frank Wray, formerly of the University of Vermont, has accepted an appointment as assistant professor in the department of history and political science at Berea College.

Paul N. Ylvisaker has been promoted to an associate professorship in political science at Swarthmore College.

Belle Zeller, professor of political science at Brooklyn College, was appointed by Governor Dewey, on June 3, 1953, as a member of the State Commission to Study the Organizational Structure of the Government of the City of New York.

IN MEMORIAM

John Gilbert Heinberg, professor of political science and chairman of the department of political science at the University of Missouri, died July 5, 1953, at the age of fifty-one. The untimely death of Professor Heinberg occurred after a very brief illness at Lincoln, Nebraska, where he was serving on the summer session faculty of the University of Nebraska.

Professor Heinberg was a native of Jackson, Missouri. He received his A.B. and A.M. degrees from Washington University, St. Louis. It was there that he came under the stimulating instruction of the late Professor Walter J. Shepard and developed his interest in the field of political science. He continued his graduate studies at The Brookings Graduate School of Economics and Government, Washington, D. C., receiving his Ph.D. degree in 1927. Except for a year's leave of absence in France during 1929–30 as a fellow of the Social Science Research Council, Professor Heinberg had served continuously as a member of the political science faculty at the University of Missouri since 1926. He became chairman of the department in 1949.

Both as teacher and as research scholar, he maintained a broad range of interests in the political science field. His major courses at the University of Missouri were comparative government, political theory, constitutional law, and the administration of justice. His research on the origins of majority rule explored a question about which there had been much speculation by political scientists but little scholarly inquiry. An article on this subject which he wrote for the REVIEW attracted the attention of leading students in the field of theory, not only because of the light it shed upon a basic concept but also because of the scholarly quality of the presentation. His later and more important work, however, was done in the field of European governments. His *Comparative Major European Governments* was published in 1937. The European government which intrigued him the most was the government of France. He made intensive studies of the personnel of French cabinets and from time to time published the results of his studies on this and other subjects relating to French government and politics. In more recent years, he had also turned his attention to the problem of criminal law enforcement in our American state governments, giving particular consideration to recent centralizing tendencies. With Professor Breckenridge of the University of Nebraska, one of his former students, he was co-author of a monograph entitled *Law Enforcement in Missouri*, published in the University of Missouri Studies in 1942. At the time of his death, Professor Heinberg was in the midst of a comprehensive research project covering the organization and powers of state police and highway patrol systems.

Professor Heinberg was a loyal member of the American Political Science Association, attending its meetings regularly, serving a term on the Council of the Association, and enjoying a wide circle of friends among its membership. His high standards of scholarship, his untiring devotion to his work, his conscientious efforts in behalf of his students and colleagues, his wise counsel, and his unfailingly congenial nature earned for him the abiding esteem and the deepest affection of all those whose good fortune it was to know him. —MARTIN L. FAUST.

SPECIAL ANNOUNCEMENTS

Suggestions Requested by Nominating Committee

The Nominating Committee of The American Political Science Association for 1954 is as follows: Charles B. Robson, chairman, University of North Carolina; Charles B. Hagan, University of Illinois; Norman J. Padelford, Massachusetts Institute of Technology; Howard R. Penniman, Department of State; Herman M. Somers, Haverford College; and E. S. Wengert, University of Oregon.

The officers to be elected at the next meeting of the Association are a president-elect, three vice-presidents, a secretary, a treasurer, and eight members of the Council. It may be noted that in the cases of the newly established offices of secretary and treasurer, the incumbents are eligible to succeed themselves. Members of the Association are invited to send suggestions of persons to be considered for nomination to the chairman of the Nominating Committee. All suggestions should be received by February 1, 1954.

Program for 1954 Annual Meeting

All members of the Association are invited to send suggestions on topics for the 1954 annual meeting program and comments on panel procedure to Stephen K. Bailey, Wesleyan University, Middletown, Connecticut, chairman of the Program Committee.

Congressional Interne Program

Applications for the Congressional Interne Program, 1954–55, must be submitted to the appropriate chairman of the department of political science or dean of law school prior to February 1, 1954. In the event applicants are no longer enrolled at a college or university, applications should be submitted through the chairman of the political science department or dean of the institution formerly attended.

As in the case of last year's program, the Association is asking the chairman of each department of political science and the dean of each law school to recommend the *one* candidate deemed best qualified for this type of assignment. Such recommendations should reach the Association office by February 15, 1954, and the names of the successful applicants will be announced during April, 1954.

The primary purpose of the Congressional Interne Program is to provide stimulating field experience for younger political scientists who would not otherwise be able to spend such a period of time in Washington. Preference will be given to applicants in the age group 25 to 30. The following types of experience and training are suggestive rather than binding: (1) completion of doctorate in political science; or (2) completion of two years of graduate work in political science, plus one year of experience in politics, teaching, or public administration; or (3) undergraduate major in political science and a law degree; or (4) A.B. degree with honor average in political science and practical experience on a newspaper or with radio or television work (applicants accepted only if they are currently active in the field and will be able to obtain leave of absence).

The program will include an introductory period of work in the Legislative Reference Service of the Library of Congress, followed by four months as a working staff member of a congressional committee, and four months as a working staff member in the office of a senator or a member of the House of Representatives. The program is expected to commence on November 1, 1954 and continue through July, 1955.

Reprints of REVIEW Articles

Beginning with this issue, reprints of articles appearing in the REVIEW will no longer be obtainable at the Washington Office. As in the past, authors will be supplied with a substantial number of reprints.

Copies of reprints now on hand, which include nearly all articles published during the past three years, may be obtained for ten cents each, plus postage, from the Washington Office.

COPIES OF PANEL PAPERS DELIVERED AT THE 1953 ANNUAL MEETING

Copies of panel papers delivered at the 1953 annual meeting are available by writing to the Association Office, 1785 Massachusetts Ave., N. W., Washington 6, D. C. The following rates apply alike to multiple copies of the same paper, or copies of different papers:

Single copy	$ .50	25 copies	$ 7.50
3 copies	1.25	50 copies	12.50
5 copies	2.00	100 copies	20.00
10 copies	3.50		

These rates are higher than we would prefer to have them. Most of the papers were mimeographed in quantity just prior to the annual meeting, and as some of them did not come in until Labor Day weekend, the duplication of certain papers at overtime rates was quite expensive. The Association has had many requests for copies, indicating that the practice of mimeographing these papers for resale is favored. The purchase price represents no net profit to the Association, but will help to bring the annual meeting budget closer to balance.

Copies of the following papers are available:

Birkhead, Guthrie S., "The Political Scientist as Reformer"
Bollens, John C., "An Inquiry into the Content and Strategy of Reform"
Bontecou, Eleanor, "President Eisenhower's Personnel Security Policy"
Brecht, Arnold, "The Latent Place of God in Twentieth Century Political Theory"
Cook, Howard A., "Keeping the Public Informed on Foreign Policy"
de Sola Pool, Ithiel, "Oligarchy and Mobility in Political Parties"
Dworkis, Martin B. "An Evaluation of the United Nations Program of Technical Assistance in Public Administration"
Edelman, J. Murray, "Labor's Role in Foreign Policy: The Conditions of Influence"
Einaudi, Mario, " 'Social Realities' and the Study of Political Parties"
Friedland, Louis L., "The Career System Revisited"
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Hall, Jerome, "Unification of Political and Legal Theory"
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Lerner, Daniel, "Communication Variables in the International Framework"
Lukens, Matthias, "The Port Authority of New York: A Case Study of an Interstate Mechanism"
Malik, Charles (Opening Address), "The Challenge to Political Scientists"
Pauker, Guy J., "Trends in Asian Nationalism"
Presthus, R. Vance, "Administration and Community Leadership: A Reappraisal of the Council-Manager Plan"
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Sayre, Wallace S., "Report of the Subcommittee on Comparative Public Administration"
*Scalapino, Robert A., "Neutralism in Asia"
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White, Howard, "The Problem of Loyalty in American Political Thought"
Willbern, York, "Professionalization in State and Local Government: Too Little or Too Much?"
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* To be published, in revised form, in a forthcoming issue of the REVIEW.

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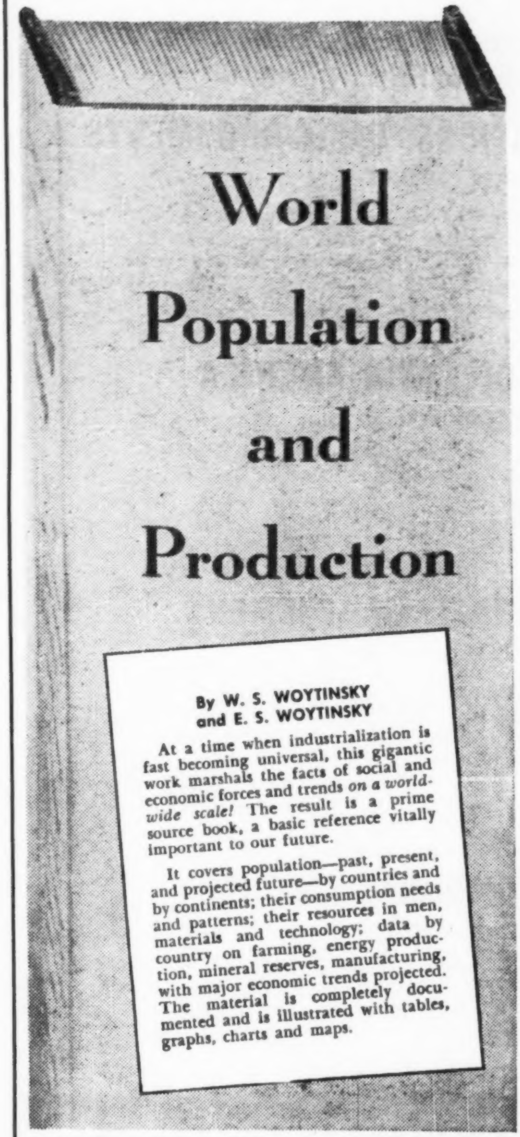

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